

Women in Development IQC

Women's Legal Rights Initiative

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ACRONYMS

ANC	African National Congress, South Africa
AU	African Union
CBO	Community-based organization
CEDAW	Convention on the Elimination of All Forms of Discrimination Against Women
CLC	Community Law Centre, University of Western Cape, South Africa
CRC	Convention on the Rights of the Child
CSO	Civil society organization
DNM	National Directorate for Women, Mozambique
DV	Domestic Violence
EGAT/WID	Office of Women in Development
FRELIMO	Front for the Liberation of Mozambique
GL	Gender Links
ICT	Information and Communication Technologies
IQC	Indefinite Quantity Contract
IMF	International Monetary Fund
JEP	Jurisprudence of Equity Program
NGO	Non-governmental organization
OMM	Mozambican Women's Association
PRSP	Poverty Reduction Strategy Paper
RCSA	Regional Center for Southern Africa
RENAMO-UE	Mozambique National Resistance-Electoral Union
SADC	Southern African Development Community
SADC PF	SADC Parliamentary Forum
SADC RWPC	SADC Regional Women's Parliamentary Caucus
UNDP	United Nations Development Programme
UNIFEM	United Nations Development Fund for Women
USAID	United States Agency for International Development
WAR	Women Against Rape
WILDAF	Women in Law and Development in Africa
WLR	Women's Legal Rights Initiative

Executive Summary

The USAID Women's Legal Rights Initiative (WLR) is a task order under the Women in Development indefinite quantity contract signed by Chemonics International Inc. on September 30, 2002. The WLR Initiative is intended to further the goals and objectives under the USAID Office of Women in Development's (EGAT/WID) third strategic objective (SO3)—"women's legal rights increasingly protected"—and to strengthen USAID missions' strategic objectives, particularly regarding democracy and governance.

The WLR project team, in coordination with USAID/Regional Center for Southern Africa (RCSA), the Africa Regional Bureau, and EGAT/WID, selected Southern Africa as a focus region for WLR activities in Africa. The WLR team will work closely with democracy and governance teams at the USAID/RCSA mission to identify constraints and gaps in women's legal rights and design activities to address them.

The team conducted a four-week assessment and analysis trip to Southern Africa from August 19 to September 12, 2003, including visits to Botswana, Mozambique, and South Africa, as part of the effort to begin the process of designing activities for USAID to implement in Southern Africa with WLR. The team met with USAID/RCSA, USAID/Mozambique, USAID/South Africa, international donors, government representatives, and civil society organizations. The meetings made it readily apparent that issues related to violence against women, discriminatory marriage and family laws, as well as the denial of property and inheritance rights to women, have a wide-reaching negative impact throughout the entire region of Southern Africa. Not only are the lives of women adversely affected, but social, legal and economic institutions are greatly challenged and to remedy these factors. A number of elements converge to create an environment where violence against women, lack of economic empowerment, and HIV/AIDS result in the ongoing denial of women's rights. The lack of legal systems to effectively deal with the problem is a one of the key factors. Poor economic conditions and weak civil society capacity also contribute to these problems. Moreover, the scourge of HIV/AIDS directly affects women's legal rights and is a cross-cutting issue in the region. In order to combat these problems, we recommend that WLR design a regional program that focuses on capacity building and advocacy for civil society and parliamentarians, with a focus on violence against women, legal aid and legal literacy, and customary law.

Southern African Development Community Parliamentary Forum (SADC PF). WLR proposes work with the SADC PF and its Engendering Parliaments Plan of Action to eliminate laws and policies that continue to discriminate against women. This will include training parliamentarians about women's legal rights in the context of international human rights law and on the process of gender budgeting, in an effort to increase their capacity to demand accountability in terms of implementation of related laws and policies.

Civil Society Organization (CSO) Networking. WLR recommends activities that focus on working to strengthen regional networks of CSOs and NGOs, including Women in Law and Development in Africa (WiLDAF), Gender Links, Women and Law in Southern Africa (WLSA), the International Association of Women Judges' Southern African regional network, and other stakeholders to advance the women's legal rights agenda in the region. This

cooperation with regional networks will provide the impetus for greater demand for implementation of established norms and standards, including holding governments accountable for the implementation of regional declarations and other international treaties, such as the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW).

Violence Against Women. WLR proposes work on the issue of violence against women and the impact of HIV/AIDS, CEDAW compliance, justice sector training, and implementation and capacity building for NGOs/CSOs. The impact of HIV/AIDS on these issues creates an opportune time for WLR to ensure that the HIV/AIDS issue is mainstreamed into all initiatives. A recent report by Emang Basadi, a leading women's rights organization in Botswana, emphasized the need for local, national, and regional training on domestic violence. Resources for capacity building and leadership are necessary for the NGOs and CSOs in the Women's NGO Coalition to improve and sustain their capacity to advocate for and promote women's rights. As CEDAW reports have been prepared in the region, WLR will build on this process by providing training about the implementation of CEDAW and other international human's rights treaties for the judiciary and the NGO sector. WLR proposes partnering with anti-violence organizations to undertake a regional research project on best practices and lessons learned in confronting domestic violence with regard to the specialized courts. This will provide a useful tool for addressing domestic violence in the region, and assist those countries in the region that are currently preparing draft domestic violence laws.

Legal Aid and Legal Literacy. WLR recommends a focus on legal literacy and legal aid in support of women's legal rights. This may include a legal literacy campaign in partnership with existing CSOs/NGOs. WLR proposed activities related to legal aid will focus on enhancing the institutional capacity of CSOs/NGOs that provide legal services to women, particularly in rural areas. WLR legal literacy and legal aid activities that may be country-specific will be linked to regional initiatives.

Advocacy and Litigation Program. WLR proposes work with the Georgetown University's International Women's Human Rights Clinic Program to provide access to resources in the region on best practices and lessons learned in their African advocacy program. Success stories on impact litigation, legislative drafting, the passing of laws, and test cases may be shared at a regional conference. Advocacy strategies may also be discussed with participants re-convening at a later date to report on their progress. These lessons and practices will be widely shared throughout the region in a publication, an email list serve, and a web site.

Customary Law. Customary law is an issue that impacts on women's legal rights throughout the region. Successful test case impact legislation that has resulted in a significant change to the domestic law will be reviewed and researched. WLR recommends the preparation of a manual on how to conduct impact litigation on the issues of customary law that can be disseminated widely in the region.

The WLR team will work in coordination with other USAID programs, international donors, government, and civil society organizations to avoid duplication of efforts. WLR will identify with USAID/RCSA and EGAT/WID the focus activities for the project based on the recommendations included in this report and the budgetary limitations. Following discussions

with USAID/RCSA and EGAT/WID, an action plan with specific activity details and timeframes will be developed for project implementation.

After a careful review of all the information obtained in the assessment and analysis process, the WLR team made the following initial findings and recommendations for assistance related to the legislative framework, judicial enforcement, civil society advocacy, and public awareness in the Southern Africa Region. After the assessment visit, initial country specific findings and recommendations were made for Botswana, Mozambique, and South Africa as representative of the needs for a regional program. The final action plan will focus solely on a regional program, but it is important to place the regional action plan within an understanding of the findings from some of the SADC countries that are illustrative of the needs of the region as a whole.

SECTION I

Introduction

A. Women's Legal Rights Initiative Objective

The Women's Legal Rights Initiative (WLR) team, in collaboration with the Office of Women in Development (EGAT/WID) and USAID missions worldwide, is working to strengthen and promote women's legal rights and participation by enhancing opportunities for women to meaningfully participate in the economic, social, and political dimensions of society. To achieve these goals the project coordinates with international donors and local stakeholders to provide strategies to identify constraints, discern gaps, and document best practices in knowledge and practice related to women's legal rights.

B. Country Selection Process

The WLR team initiated consultations with EGAT/WID and the USAID Africa Regional Bureau on April 2, 2003, to ensure that country selection was consistent with USAID priorities in the region. Bureau representatives Curt Grimm, Carla Komich, Ajit Joshi and Afia Zakiya recommended communicating through cable with all USAID missions in Africa to identify interest in accessing WLR project services. A cable was sent on April 15, which resulted in 11 responses from missions in Benin, Ethiopia, Liberia, Madagascar, Malawi, Mozambique, Niger, Democratic Republic of Congo, Tanzania, Rwanda, and the Regional Center for Southern Africa (RCSA). The WLR team was very encouraged by the widespread interest in strengthening women's legal rights throughout Africa, however, due to limitations in the scope of work, only four countries were chosen for the first three years of the contract.

Responses to the WLR announcement cable were assessed and ranked by the WLR team in early May 2003. The evaluation of mission responses was based on six objective criteria designed to measure the potential impact a project could have in a given country. The review and ranking of the responses revealed that a regional "hub" approach would be most appropriate for addressing region-wide women's legal rights needs while facilitating optimal use of WLR resources. WLR recommendations were shared with the project's cognizant technical officer and representatives of the Africa Regional Bureau on May 21. These recommendations were further reviewed by the relevant country desk officers. The final decision on priority countries was made in consultation with the Regional Bureau on June 5 and included RCSA, Madagascar, Benin and Rwanda. In Year 2, WLR will launch programs in Southern Africa, Madagascar, and Benin; and beginning activities in Rwanda in Year 3.

C. Assessment Objectives and Activities

The WLR team worked closely with USAID/RCSA, USAID/Mozambique, and USAID/South Africa to identify and organize activities for the assessment and analysis phase conducted in Botswana from August 19 to September 2, 2003, Mozambique from September 2 to 7, and South Africa from September 7 to 12. Members of the democracy and governance teams at the RCSA/USAID Mission provided guidance and assistance to identify on-going programs, constraints to women's legal rights, gaps in knowledge and practice, and the current social, political, and economic context. Consultations were conducted with the USAID Missions of South

Africa and Mozambique, as well as government agencies, civil society groups, international organizations, and other stakeholders to identify priority issues, potential partners, and existing activities.

Results from the assessment and analysis trip will be used to design a regional action plan that meets the identified needs of USAID/RCSA, in compliance with the WLR task order's scope of work. The action plan will target issues to be addressed, using local and international resources to achieve goals and objectives that strengthen women's legal rights, reinforce Mission objectives, and dovetail with ongoing activities. The focus of the program will be regional in scope, with a particular focus on USAID non-presence countries in the region.

D. Technical Approach and Methodology

The WLR technical approach and methodology to assess the needs, opportunities, and constraints related to women's legal rights in Southern Africa included:

- Background research and document review on the economic, political, social, and legal context related to women's legal rights in Southern Africa prior to the initial assessment and analysis trip
- Presentation of WLR program to USAID/RCSA, USAID/Mozambique, and USAID/South Africa staff and discussion of Mission strategic objectives, constraints to women's legal rights, current programs in place, and identification of existing successful models
- Discussions and consultations with key civil society groups, government agencies, and other stakeholders to identify program priorities, concepts, and issues
- Collection and review of existing reports, studies, legal texts, and training materials related to women's legal rights

The assessment and analysis team consisted of David Vaughn, WLR Project Director, Teresa Cannady, WLR Gender and Legal Specialist; and Irina Sedova, Assistant Project Administrator. In Botswana, Mozambique, and South Africa the team met with numerous civil society organizations, international donors, representatives of the judiciary and government agencies, personnel from USAID-funded projects, and Mission staff. (See Annex A, List of Meetings Held, for a comprehensive list of individuals and organizations). These meetings provided the background regarding the current status of women's rights in the region, identified current programming, and assisted the team in determining activities that may be undertaken as part of this project.

Following the assessment and analysis trip, the WLR team will:

- Debrief with USAID/RCSA, EGAT/WID, and Africa Regional Bureau on preliminary assessment and analysis findings and recommendations
- Prepare and submit assessment and analysis report to USAID/RCSA, EGAT/WID, and Africa Regional Bureau
- Identify local and foreign consultants and resources required for implementation
- Prepare and submit draft action plan to USAID/RCSA, EGAT/WID, and Africa Regional Bureau
- Conduct roundtable discussion on the draft action plan with USAID/RCSA, EGAT/WID, Africa Regional Bureau, and local counterparts

- Finalize action plan incorporating comments and suggestions

SECTION II

Women's Legal Rights Country Overview

A. USAID Programs and Partners

A1. USAID/Regional Center for Southern Africa

The USAID Regional Center for Southern Africa (RCSA) based in Gaborone, Botswana currently covers 12 of the 14 member countries of the Southern African Development Community (SADC), namely Angola, Botswana, Lesotho, Malawi, Mauritius, Mozambique, Namibia, South Africa, Swaziland, Tanzania, Zambia and Zimbabwe. The Regional Center focuses on democracy and governance, natural resource management, regional market integration, agriculture as well as cooperation with regional organizations.

RCSA supports regional democracy and governance (D&G) initiatives in three main areas: improving electoral and political processes, reducing corruption, and increasing media freedom. The Regional Center assists the Southern African Development Community Parliamentary Forum in promoting the adoption and application of national electoral norms and standards. It has a particular focus on the SADC countries that will hold general elections in 2004 including Namibia, Malawi, South Africa, Mozambique and Botswana. USAID/RCSA is also working with the Institute for Democracy in South Africa to generate information on the state of democracy in the region and disseminate it to advocates for improved governance. In all of its D&G activities RCSA concentrates on creating regional linkages among stakeholders to promote democratic norms and achieve regional D&G impacts.

The final year of funding for the current strategy is FY 2003. USAID has developed a new strategy for Southern Africa covering FY 2004-FY 2010. The new strategic plan focuses on four strategic objectives (SOs) that aim to improve economic competitiveness, rural livelihoods, electoral competition and management of river basins in Southern Africa. Gender is a crosscutting theme that will be mainstreamed into the overall program. Future programming in the area of democracy and governance will build on past successes in fighting corruption and promoting media freedom and electoral norms and standards. Additionally, USAID/RCSA will expand its activities into human rights and the rule of law. The Women's Legal Rights Initiative has been integrated into the new strategic plan. Implementation of the new strategic plan will begin in October 2003.

A2. USAID/Mozambique

FY 2003 is the final year of Mozambique's current Country Strategic Plan. In FY 2003, USAID/Mozambique's strategic objectives were: (1) increase rural incomes; (2) advance private-sector-led growth; (3) increase the use of comprehensive maternal and child health services; and (4) strengthen the government-civil society partnership. Under the democracy and governance rubric, USAID has been providing training and technical assistance to improve the effectiveness of the national legislature, implement justice sector reforms and enhance the effectiveness of CSOs. The current maternal and child health program focuses on general improvement in the

management of public health systems to ensure the availability of basic services, training and commodities, including condoms, to enable key organizations to carry out effective HIV/AIDS prevention efforts.

The new country strategy beginning in 2004 will have the following objectives: (1) fostering economic growth through agriculture and international trade; (2) stemming HIV/AIDS; (3) further improving maternal and child health; and (4) building productive relationships between citizens and their governing bodies. Gender is a cross-cutting issue in the new strategic plan and a limited gender analysis was completed in order to aid in the development of future programming. The democracy and governance program within the new strategy will focus on the local level to improve performance of municipal governance, reduce corruption, develop citizen oversight of government, and strengthen models for community-based decision-making. USAID/Mozambique will also work to strengthen the capacity of civil society organizations and emerging political institutions. In FY 2004, the Mission will expand its HIV/AIDS program to train community-based organizations (CBOs) to provide appropriate education that will act as an incentive to individuals to reduce personal risk to HIV. The Mission will also train and mobilize national and local leaders, including traditional chiefs, to strengthen the response to HIV/AIDS at all levels. Finally, USAID/Mozambique will provide essential supplies and support services for HIV prevention and treatment.

A3. USAID/South Africa

The USAID Mission in South Africa has six strategic objectives. They include: (1) increasing access to quality education and training; (2) improving capacity to formulate, evaluate and implement economic policies; (3) increasing access to shelter and environmentally sound municipal services; (4) increasing market driven employment opportunities; (5) increasing use of primary health services and HIV/AIDS prevention and mitigation practices; and (6) advancing democratic consolidation.

USAID/South Africa's Democracy and Governance (D&G) program has three main prongs: (1) assistance in the fight against crime; (2) assistance in the establishment of a democratic local government system; and (3) improving the viability of the civil society sector. With respect to the first prong, USAID/South Africa is supporting the restructuring of the Ministry of Justice. This effort includes the introduction of an integrated case flow management system, the decentralization of court support services and the outsourcing of management of child support and bail funds. The restructuring is a cooperative effort between USAID/South Africa, the U.S. and South African Departments of Justice, and Creative Associates International, Inc. USAID/South Africa also provides technical assistance to South Africa's National Prosecuting Authority to improve prosecution skills. To increase access to the criminal justice system for women USAID/South Africa supports NGOs that provide victim support services, monitor cases of violence against women and conduct public awareness campaigns to reduce crime.

The second prong in the D&G program seeks to increase local government capacity to deliver social services by assisting the Department of Provincial and Local Government in establishing a new national statutory framework that emphasizes citizen participation in development planning. This goal is being achieved through the training of ward committee members who meet regularly with citizens to discuss the activities of the local council. To date, 284 of South Africa's

municipalities have participated in implementing the new program. Additionally, USAID is instituting a web-based network that compiles and shares local government best practices. The Mission also supports a program to bring together community stakeholders in 195 municipalities across the country to collectively address the issue of HIV/AIDS. Finally, USAID supports 20 legal service centers throughout rural South Africa. These centers offer free legal services to domestic violence victims and to those who have been infected or affected by HIV/AIDS.

As part of its third D&G prong, USAID/South Africa seeks to strengthen the civil society sector through support of the amendment that will provide tax exemptions for qualifying non-profit organizations. USAID/South Africa is also supporting training for NGO personnel on conducting fact-finding investigations and utilizing the information to engage and monitor the government.

The USAID/Regional Center for Southern Africa and USAID South Africa cooperate to fund parliamentary training in South Africa. The two Missions also collaborate to fund the Afrobarometer survey, which measures public attitudes toward democracy.

B. International Donors and Organizations

B1. Southern Africa Region

The European Union (EU) countries and USAID are the largest donors to the Southern African Development Community countries. The EU and the United Nations Development Program (UNDP) support media freedom, and the International Monetary Fund (IMF) provides funding for anti-corruption initiatives. UNDP is a regional advocate for programs emphasizing the role of parliaments in the governance process. They also work in partnership with other organizations to ensure the inclusion of a gender perspective in the parliamentary budgetary process.

The United Nations Development Fund for Women (UNIFEM) is working closely with SADC to build gender capacity in the region's governments, through gender analysis training, national and regional internships, and the creation of a fund to support pilot projects and action research that promote women's economic and political empowerment. To strengthen civil service accountability, assistance is being provided for public sector reform, changes in the codes of conduct, review of public administration and anti-corruption acts. Training has also been provided for government and judicial staff in personnel management, public procurement, information systems service contracting, investment procedures and strengthening public services.

B2. Botswana

Since Botswana was classified as a "middle income" country there has been a significant reduction in donor aid. The British Department for International Development (DFID) previously funded a program on violence against women in cooperation with Women and Law in Southern Africa (WLSA) and Women in Law and Development in Africa (WiLDAF). The UNDP supported activities of the Women's Affairs Department until September 2003. USAID/RCSA is currently focusing its interests in Botswana on democracy and the rule of law, reducing corruption, and ensuring United States and SADC cooperation.

Botswana has been identified by the Bill and Melinda Gates Foundation as their primary target country for HIV/AIDS programs to create a model of prevention, treatment, and eradication. At a September 2003 conference of international donor organizations, the Gates' Foundation, the International Aids Trust, the European Parliamentarian Association, and the European Union identified using the SADC Parliamentarian Associations as a model for coordination on the issues of discrimination against women in the area of HIV/AIDS.

B3. Mozambique

The United States remains the largest bilateral donor. Other major donors include the IMF, the World Bank, the UN agencies, the EU, the UK, Japan, Netherlands, Sweden, Denmark, Switzerland, Italy, France, and Norway. According to USAID, donor coordination groups are active in all of its strategic areas. USAID is a leading member of a working group chaired by the Mozambican Ministry of Health that includes the EU, Canada, the Netherlands, Japan and the World Bank. USAID also cooperates with the Mozambican Ministry of Agriculture, the World Bank, and the EU. DANIDA, a Danish international development NGO, cooperates with the Ministry of Justice and the Supreme Court on judicial legislation. USAID continues to be one of the few donors supporting anti-corruption efforts in Mozambique.

Mozambique is also a participant of the World Bank and IMF initiated Poverty Reduction Strategy Program (PRSP). The PRSP provides the operational basis for IMF and World Bank lending and for debt relief under the Heavily Indebted Poor Countries (HIPC) Initiative. Through a participatory process involving domestic stakeholders as well as external development partners, Mozambique has designed and is implementing a comprehensive strategy for poverty reduction. In 2003, overall donor assistance to this strategy was approximately \$620 million.

B4. South Africa

USAID is the largest bilateral donor and second largest overall donor to South Africa. The largest donor is the European Union with the efforts to support criminal justice reform. The second largest bilateral donor, the United Kingdom, assists in the areas of democracy and governance and criminal justice. Germany also supports programs in democracy and governance, as well as activities in health and education.

UNIFEM sponsors the Agisanang Domestic Abuse Prevention and Training, which consists of conducting educational campaigns in high schools. The campaigns involve young men and women, educators, and parents to address the problem of violence against women in dating relationships. UNIFEM also supports the South African National Network on Violence against Women program that combats gender-based violence through a multi-media campaign involving women and targeting the general public. The program includes a radio awareness campaign on the issue of violence, an outreach video to highlight South Africa's Domestic Violence Act (DVA), media training to build the capacity of network members and the distribution of materials for increased education. The project responds to the lack of awareness by victims of abuse and aims to increase the impact of the media towards combating violence against women.

C. Government Agencies

C1. Southern Africa Region

Southern Africa has a regional governing structure in the form of the Southern African Development Community. The ultimate objective of SADC is to pool resources to achieve collective self-reliance, harmonization and higher living standards for the people in the region. SADC's 14 member states are Angola, Botswana, Democratic Republic of Congo (DRC), Lesotho, Malawi, Mauritius, Mozambique, Namibia, Seychelles, South Africa, Swaziland, Tanzania, Zambia, and Zimbabwe.

The principal institutions of SADC are the Summit, the Troika, the Organ on Politics, Defense and Security; the Council of Ministers, the Integrated Committee of Ministers, SADC National Committees, the Standing Committee of Senior Officials; and the Secretariat. The 1992 treaty establishing SADC also provided for a tribunal to ensure adherence to and proper interpretation of the SADC treaty and declarations. However, this tribunal has not yet been established.

The Summit is the policy-making branch of SADC and is composed of the heads of state. President Sam Nujoma of Namibia is the current chairman of SADC. In 1997, the Summit signed a Declaration on Gender and Development, which calls for the equal representation of women and men in the decision-making of member states and the achievement of at least 30 percent target of women in political and decision-making structures by 2005. The Declaration also commits SADC member countries to repealing and reforming all laws and practices that discriminate against women. In addition to the Declaration, the Summit adopted an Addendum to the Declaration on Gender and Development on Violence Against Women and Children, which commits member states to enact laws that protect women and children against violence.

The SADC Secretariat, based in Gaborone, is the principal executive institution within SADC. It is responsible for strategic planning, coordination, and management of SADC programs. The current SADC Program of Action has over 400 projects with a total estimated value of \$8.09 billion. The Secretariat is responsible for gender mainstreaming in all SADC programs and activities. A Gender Unit within the Secretariat designs activities aimed at implementing the Declaration on Gender and Development. The Gender Unit has a permanent slot at Heads of State Summits to report on its work. Currently, the Unit is in the process of finalizing a report on the progress of initiatives dealing with violence against women in the region. This report has been in development for three years, as has the Gender Monitor which should be published every year. The Gender Unit has only two full-time staff members making it difficult to accomplish tasks in a timely and efficient manner.

SADC also has an Engendering Parliaments program, under the 1,800 member SADC Parliamentary Forum. It is designed to equip both female and male members of parliament with necessary gender analytical skills and information. Particular attention is paid to the practical needs and strategic interest of women parliamentarians to be effective as legislators. Through this program the SADC PF seeks to "facilitate the review of existing laws and passage of gender sensitive laws and policies." To this end, the project has facilitated the creation of Women's Parliamentary Caucuses, which have successfully lobbied SADC country parliaments to pass laws that specifically protect the human rights of women. However, little has been accomplished in

terms of mainstreaming gender into laws that are not specifically meant to protect women's rights. The SADC Parliamentary Forum and the SADC Gender Unit have coordinated to establish the Regional Women's Caucus to assist female members of parliament to strategize on addressing women-specific issues in their respective parliaments.

C2. Botswana

Botswana is Africa's longest continuous multiparty democracy. All elections since the 1966 independence have been regarded as free and fair and have been held on schedule. There are two main parties in Botswana including the Botswana Democratic Party (BDP), which won 33 of 40 contested National Assembly seats in the last national elections in 1999, and the Botswana National Front (BNF), which won 6. The 40th seat went to the Botswana Congress Party (BCP) and four additional members were appointed by the majority party.

The president is chosen by the National Assembly following countrywide elections. President Festus Mogae assumed his post in 1998 and is nearing the end of his first five-year term. He has been vocal on the HIV/AIDS pandemic plaguing his country and proactive about seeking international assistance to address the issue.

President Mogae has given considerable attention to the promotion of women's rights in Botswana. He was the featured speaker at a fund-raising dinner for the Women's NGO Coalition held in Gaborone on August 29th. In that address the president condemned violence against women, stating, "We must be consistent and firm in our total rejection of such crimes which are demeaning to our very humanity." President Mogae detailed a number of positive benchmarks that the Government achieved in eliminating discrimination against women in law and practice, such as the amendment of the Citizenship Act in 1995, adoption of the National Policy on Women in Development in 1996, the upgrading of the Women's Affairs division to the status of a full-fledged department in 1997, the launch of the National Gender Framework in 1998, the establishment of the National Council on Women in 2000, and the amendment of the Marriage Act in 2001. He emphasized the importance of involving all the citizens of Botswana when in the process of change, noting that "change should be managed in a way that promotes the peaceful and orderly development of society and not to inadvertently undermine or disrupt established institutions. I have faith in the willingness of the people of Botswana to bring about greater gender equality." The following day, President Mogae attended a seven-hour installation ceremony of Mosadi Seboko-o-Powe as the first woman paramount chief in Botswana. Given this level of interest in women's rights, it is not surprising that the 2003 United Nations Human Development Report ranked Botswana 31st in the world in terms of its gender empowerment measures.

The National Assembly has a Law Reform Committee which is responsible for reviewing and amending legislation that is outdated or that is not in compliance with international commitments. The attorney general is a member of the committee and advises the members on all legal matters. The Attorney General's Office has a staff member as a "gender focal point" who handles women's affairs and human rights and works closely with the Ministry of Women's Affairs. There is no international treaty committee or division within the National Assembly. Individual committees ratify treaties and often other members of parliament are not made aware of the new treaty commitments.

In addition to the president, Members of his Cabinet, and the National Assembly, Botswana also has a national level advisory body called the House of Chiefs. The house is comprised of the paramount chiefs from the eight principal subgroups of Botswana and four elected chiefs. Any draft National Assembly bill involving customary law or practice must be sent to the House of Chiefs for review.

The Women's Affairs Department of the Ministry of Labor and Home Affairs is the national machinery for gender and is charged with implementing the National Gender Strategy. It has been a full-fledged department since 1997, but has been handicapped by a lack of funding. The Department has identified six areas of priority from the Beijing platform with HIV/AIDS as a crosscutting issue: (1) power sharing/political process; (2) violence against women; (3) education and training; (4) capacity for access to economic opportunities; (5) health/reproductive rights; and (6) the girl child. In 1998, the Women's Affairs Department published the *Report on a Review of All Laws Affecting the Status of Women in Botswana*, which resulted in the removal of discriminatory provisions in the Public Service Act of 2000, Affiliation Procedures Act, Penal Code of 1998, Criminal Procedure Code, Deed Registry Act, Employment Act, and the Citizenship Act.

The Women's Affairs Department developed a collaborative relationship with many women's rights groups through the National Council on Women, which acts as the highest advisory body to the government on all matters relating to gender and development. The Council reviews policies from a gender perspective and makes concrete proposals to address existing gender inequalities. It has recently embarked on developing a Strategic Plan to serve as a road map to achieve the goal of gender equality more effectively.

The Women's Affairs Department is also responsible for developing and submitting CEDAW reports. Botswana has not submitted the required CEDAW reports. A draft report was compiled two years ago but was never finalized and is now being updated. The Women's Affairs Department hopes to complete and present the CEDAW report by the end of 2003. The Department has developed gender policies for the Ministry of Finance, Ministry of Local Government, and the Ministry of Trade and Industry, but has not been able to monitor or follow up on progress due to a lack of funding.

The judiciary of Botswana consists of both a civil court structure, including magistrates' courts, a High Court (Appellate Court), and a Court of Appeal (Supreme Court) as well as a customary court system. There are two women judges out of a total of 14 on the High Court. The Court of Appeal is comprised of nine judges, all of whom are foreigners from countries including Kenya, Zimbabwe, South Africa and Britain. These judges are appointed by the president upon the recommendation of the chief justice of the High Court. No woman has ever had a full-time seat on the Court of Appeal. The Court of Appeal meets twice a year in January and in July and considers about 30 cases during each meeting. The appointment process for the lower courts has been criticized for lacking transparency. A seven-member Judicial Service Commission, headed by the chief justice, selects applicants and makes appointment recommendations to the president.

There is no justice minister in Botswana. Court administration is handled by the Registrar of the High Court under the Ministry of Presidential Affairs. The Judicial Branch administers its own

budget. Currently, court statistics are not disaggregated by gender. A plan to purchase a computerized case management system is currently underway.

The majority of civil cases are handled by traditional leaders in customary courts. The most common cases are those relating to land, marriage, and property. Proceedings in customary courts are strictly based on traditional law and practice and lawyers are not allowed to practice in these courts. Sentences of tribal judges may be appealed to the Customary Court of Appeal or through the civil court system. A majority of women file their cases with the traditional courts. Women generally prefer these courts because they are cheaper, easier to access, and less formal. There are more than 300 customary courts in Botswana.

The Customary Court of Appeal hears appeals from the lower level customary courts. There are two Customary Courts of Appeal, one located in Gaborone, which handles cases from Southern Botswana, and the other in Francistown, which reviews cases from the northern part of the country. The court sits in a three member panel and has three additional members to sit if one of the panel members is unavailable.

C3. Mozambique

The government of Mozambique is comprised of the president, the parliament, the council of ministers, the judiciary and a Constitutional Council. The president is elected by the majority vote of the people to a five-year term and may serve three terms. Mozambique held its second general elections in 1999. President Joaquim Chissano was reelected in what was considered generally fair elections. His party, the Front for the Liberation of Mozambique (FRELIMO), obtained 133 seats in the 250-seat Assembly of the Republic. The remaining seats were taken by the Mozambique National Resistance-Electoral Union (RENAMO-UE). FRELIMO, which has ruled the country since the 1975 independence, dominates policymaking. President Chissano has indicated that he will not run for a third term stating that to do so would violate the spirit of the law due to the fact that he was already serving as president in 1990 when the constitution was adopted.

The Ministry for Women and Social Action is a newly-formed institution. It was started in 2000 along with the National Directorate on Women (DNM). The directorate functions as two departments that work in parallel. The Department of Women and Family co-ordinates strategies related to family and vulnerable women. This department deals with the issue of HIV/AIDS and the empowerment of women. It also designs public education programs that promote women's rights and help stop violence against women. The Department of Gender and Development develops gender action plans and implements gender programs. One of its mandates is to promote the implementation of legislation that protects women's rights in all sectors.

The National Directorate for Women also coordinates its activities with the Operational Group for the Advancement of Women. The group is a mechanism of inter-sector coordination to supervise the implementation of government programs in the field of women and gender. It is composed of members of civil society and various government organizations that focus on gender issues.

The DNM is currently developing the CEDAW report and the African Union (AU) Charter on Human Rights report. It is also heavily involved in lobbying for the passage of the Family Law in parliament. Additionally, the DNM prepared a draft Domestic Violence Law in cooperation with

the Women's Forum. The Directorate has a National Plan for Action for the Advancement of Women and is now developing its implementation strategy. Deliberations on the National Policy on Gender are also under way.

Women's representation in parliament is now 30 percent. Three ministers and five deputy ministers are women. Each Ministry should have their own gender focal point. There is also a parliamentary committee on Gender, Social Issues, and the Environment.

There are two complementary justice systems in Mozambique including the civil/criminal system and the military system. The highest judicial body in the country is the Supreme Court. It is composed of professional judges appointed by the president upon the recommendation of the Supreme Council of the Judiciary. The lower courts are comprised of provincial and district courts which have the authority to deal with both civil and criminal matters. Provincial courts exist in all provinces but few are staffed by trained judges, despite the mandate of the Judicial Magistrates Statute. District courts have not yet been established in all districts. There are approximately 160 judges in the country with many lacking adequate training. The judiciary is often criticized for being corrupt, biased, and inefficient. While independent in principle, it is dominated by the executive, and by extension the FRELIMO party. In addition to the formal court system, a number of local customary courts adjudicate matters such as divorce and property division.

C4. South Africa

South Africa is a multiparty democracy. The parliament consists of the National Assembly and the National Council of Provinces. The 400-member National Assembly is elected by a system of "list proportional representation." Each of the parties appearing on the ballot submits a rank-ordered list of candidates and the voters cast their ballots for one party. Seats in the Assembly are allocated based on the percentage of votes each party receives. In the 1999 elections, the African National Congress (ANC) won 266 seats in the Assembly. The parliament has a Joint Committee on Improvement of Quality of Life and Status of Women, which monitors the effects of government programs and policies on women. Parliament also receives recommendations to amend legislation affecting women from the constitutionally-mandated Commission on Gender Equality.

The second branch of the government is headed by the president. The National Assembly elected Thabo Mbeki as president following the June 2, 1999 elections. President Mbeki has been active in efforts to eradicate violence against women. Last year during the 16 Days of Activism Against Gender Violence campaign, he traveled around the country on a "Peace Train" visiting schools and talking with students. He handed out whistles with the theme of "blow the whistle" on violence. The presidential branch houses the Office on the Status of Women. This body coordinates departmental gender desks that have developed strategies to ensure the integration of gender into all aspects of government policy and planning.

The third branch of the central government is the judiciary. The Constitutional Court is the highest court for interpreting the constitution, while the Supreme Court is the highest court for handling appeals of other cases. There is a single judiciary throughout the country but it consists of both magistrates and judges. The magistrates tend to have less exposure to new legal trends and international human rights laws and treaties, such as CEDAW.

Judicial nominations are made by the Judicial Service Commission which is a multi-party, multi-disciplinary body. The Commission interviews nominated candidates and makes its recommendations to the parliament. The parliament then makes its recommendations to the president. The president can reject all of the proposed nominees but cannot appoint judges from outside the pool of nominated candidates. Recently there has been a conscious effort to propose women for judicial positions. As a result, the percentage of women in the judiciary has increased by a factor of several hundred percent. Currently, 30 out of 170 judges are women. In 2002, the government established 22 sexual offenses courts throughout the country along with special services to protect victims.

D. Civil Society Organizations

Southern Africa has a significant number of civil society organizations dedicated to promoting and protecting women's legal rights. Below is a chart that lists key regional and national CSOs in the Southern Africa region, Botswana, Mozambique, and South Africa. For more detailed information on the activities of these organizations please refer to Section III, Assessment Findings and Recommendations.

D1. Southern Africa Region

Organization	Focus/Purpose	Significant Achievements
Women and Law in Southern Africa (WLSA) (Based in Zimbabwe) Botswana, Lesotho, Malawi, Mozambique, Swaziland, and Zambia	To undertake strategic, action-oriented research in the socio-legal field and to lobby for legal reforms and policy changes on laws and practices that disadvantage women.	Completed and disseminated research on the following topics: maintenance law, inheritance law, family and legal status of women in the family, the administration of justice, delivery problems and constraints.
Gender Links (based in South Africa) Botswana, Lesotho, Malawi, Mauritius, Mozambique, Seychelles, Swaziland, Zambia and Zimbabwe	To transform gender relations in and through the media by conducting research, developing gender training materials, and creating and sharing gender-related media content.	Organized a high profile multi-media campaign on the 16 Days of Activism against Gender Violence from November 25 th to December 10 th , 2002.
Women in Law and Development in Africa (WiLDAF) Present in 26 African Countries including most countries in Southern Africa.	To facilitate networking and communication among African NGOs working in the area of women's rights; to design training and technical assistance to women's rights groups; to lobby for women's rights at major international events and institutions.	Publishes a quarterly newsletter covering developments in the network in English, French and Portuguese.
CIVICUS (based in South Africa) Has CSO members from 65 countries.	To aid CSOs in increasing legitimacy and transparency, improving the quality and quantity of engagement with government and mobilizing quick responses to threats to citizen action.	Provide numerous trainings for CSOs and holds successful bi-annual world conferences for CSOs and other stakeholders to exchange information about their achievements and challenges.

Organization	Focus/Purpose	Significant Achievements
SADC Lawyers Association (based in Botswana) Angola, Botswana, Swaziland, Lesotho, Mozambique, South Africa, Zambia, Zimbabwe, Swaziland, Namibia, Seychelles	To promote the rule of law and human rights for women and children in Southern Africa; to assist in the harmonization of national laws with regional commitments.	A new organization with access to 5,000 lawyers in the region, 1/3 of whom are women. Instituted a requirement that each country must send women to the Association meetings.
Southern Africa Human Rights Trust (SAHRIT) (based in Zimbabwe)	To mainstream human rights within public institutions and thereby fulfill the UN Declaration for Human Rights Education and the Vienna Declaration of Human Rights, which call upon states to introduce human rights education in all their institutions.	Conducted gender training for the Zimbabwe Republic Police and produced a human rights resource book and manual. Provided regional training on human rights.
Southern Africa Research and Documentation Centre (based in Zimbabwe)	To enhance the effectiveness of key development processes in the SADC region through the collection, production and dissemination of information.	SARDC's gender focus group, WIDSAA, has produced 12 books profiling the status of women in most SADC member states and a regional book <i>Beyond Inequalities: Women in Southern Africa</i> .

D2. Botswana

Organization	Focus/Purpose	Significant Achievements
Emang Basadi	To identify problem issues related to women through action research; to develop action oriented strategies to change the socio-economic and legal position of women in Botswana; to increase public awareness of the problems faced by women.	Established a legal aid and counseling center to provide legal advice and counseling services to women who cannot afford independent legal assistance.
Kagisano Society – Women's Shelter Project	To raise community awareness about domestic violence and HIV/AIDS and to empower affected individuals by providing temporary shelter, counseling, referrals and survival skills.	Has provided shelter for hundreds of domestic violence victims, as well as counseling and skills training. Published a book entitled <i>Stories of Courage</i> with personal stories of DV from women who stayed in the shelter. Conducted successful workshops on DV in Gaborone and neighboring towns.

Organization	Focus/Purpose	Significant Achievements
Women's NGO Coalition	To serve as a focal point and network of organizations committed to the empowerment of women through coordination, collaboration, networking and capacity building of its members.	Conducted domestic violence trainings for police, tribal chiefs, and community leaders.
Women Against Rape (WAD)	To assist women and children survivors of sexual abuse and rape. To promote institutional change to protect women and children against sexual abuse and to raise awareness within the whole society on these issues.	Educated the school system and the community in the Northwest part of Botswana and on their rights and where assistance / support can be found with regards to sexual abuse and other forms of gender violence. Conducted community workshops on incest and defilement.

D3. Mozambique

Organization	Focus/Purpose	Significant Achievements
Women's Forum	To rationalize human, material and financial resources of CSOs working in the area of women's rights; to lobby for legal reform and policy changes on laws that impact negatively on women.	Successfully lobbied the government to amend the labor law to conform with CEDAW. Created a CD-ROM with all the versions of the draft family law as well as many articles for and against the law to be used as a best practice in the future.
Mozambican Women's Association (OMM)	To lobby the government to include women's participation in all areas of life; to make women aware of their rights and capable of defending them.	Effectively lobbied ministries for the appointment of women with 16 women now serving as district administrators and 6 women as post administrators. Organized a group of 22 women in 6 areas of the Maputo province to spread the "All Against Violence" message to communities.
Association of Women Farmers of Imbuzine, Eduardo Mondlane Cooperative	To profitably farm 60 hectares of land.	Have benefited from property rights and other women's rights training by the civil society community.
MULEIDE, Association for Women, Law and Development	To promote an improved status for women through legal assistance and education and reform of legislation that discriminates against women.	Utilized radio, television, plays, seminars and numerous publications to educate a wide audience of women about their rights. Participated in the "Women and the Right to Health" program, through education training and information activities.

Organization	Focus/Purpose	Significant Achievements
AMMCJ, Women Lawyers Association	To provide legal assistance to vulnerable groups; to conduct research on the legal framework and advocate for changes in the law.	Created a weekly radio program that provides legal advice and answers to callers' questions.
AMODEFA, Mozambican Association of Family Development	To promote the sexual and reproductive rights of men, women and youth through training of youth as community activists, community-based services to distribute contraception, and HIV/AIDS prevention and home based care.	Formed an association for those living with AIDS and successfully lobbied the government to be more concerned with HIV/AIDS. Trained youth in counseling, psychosocial support and sexual awareness, to be activists in their communities and among their peers.
Association of Women and Social Communication	To advocate for women's rights through the use of media.	Launched the first radio station "made by women for women" to broadcast on issues of common concern such as legal and reproductive rights. Published numerous articles related to women's rights in various newspapers.
COMMUTRA, Committee of Women Workers	To advocate for the protection of working women by lobbying to improve labor legislation, attempting to prevent HIV/AIDS discrimination, and providing training for working women.	Trained women's committee members of each of the 15 unions on labor law, gender and equality, leadership, violence and harassment. Conducted a "train the trainers" program for 56 participants who are now training others members in the provinces.

D4. South Africa

Name	Focus/Purpose	Significant Achievements
Women's Legal Center	To provide legal assistance to women and to advocate for women's legal rights.	Defended numerous women in cases involving inheritance rights and Muslim law.
Center for Applied Legal Studies (CALS – Gender Unit) at The University of the Witwatersrand, Johannesburg	To apply legal research to advocacy.	Two decades of precedent-setting cases.
Tshwaranang Legal Advocacy Centre to End Violence Against Women, Johannesburg	To provide national advocacy and research on violence against women.	Provides research, training and advocacy; special project on gender violence and HIV/AIDS.

Network of Violence Against Women	To facilitate networking of all South African VAW NGOs and CBOs.	The creation of a national network.
Agisinang (ADAPT)	To provide public awareness, especially to youth, on VAW; train judicial sector; service provider to victims.	Excellent training materials and public awareness campaigns.
WLSA – Women and Law in Southern Africa (See regional section)	See regional section.	See regional section.
Masimanyane Women’s Support Centre	To work to end violence against women and other human rights abuses.	Coordinated the first South African CEDAW Alternative Report.
Women’s Net - Association of Progressive Communications	To provide training and capacity building to women’s NGOs on use of information and communication technologies (ICTs).	Coordinates GEM in partnership with APC and Gender Links.

SECTION III

Assessment Findings and Recommendations

After a careful review of all the information obtained in the assessment and analysis process, the WLR team made the following initial findings and recommendations for assistance related to the legislative framework, judicial enforcement, civil society advocacy, and public awareness in the Southern Africa Region. After the assessment visit, initial country specific findings and recommendations were made for Botswana, Mozambique, and South Africa as examples of needs for a regional program. While the final action plan will focus solely on a regional program, it is important to place the regional action plan within an understanding of the findings and recommendations of the following three countries. It must be noted, however, that the RCSA Action Plan, while incorporating some of these country specific recommendations, will not replicate the findings herein.

A. Southern Africa Region

A1. Legislative Framework

A1a. Findings

Many of the relevant norms and standards exist in the Southern Africa region for promoting women's legal rights. The 1997 SADC Declaration on Gender and Development commits SADC and its member states to repeal and reform all laws, constitutional provisions, and social practices that discriminate against women and children. It also commits member states to enact laws that protect women and children against violence such as sexual offenses and domestic violence. All Southern African states (except Swaziland) are signatories to CEDAW. The national governments in the SADC region have national gender policies, programs and plans of actions. Many of the countries have established gender focused institutions within their national governments for the promotion of women's human rights. However, there is a great difference between the *de jure* and the *de facto* situation for women.

A major advocate in the engendering of parliaments has been the SADC Regional Women's Parliamentary Caucus. However, very little has been done to mainstream gender into legislation other than for those issues considered to be specifically related to women and children. Many of the laws of trade, business, employment, tourism, commerce, and property are discriminatory.

However, all parties consulted agreed that the greatest needs are for implementation and resources. Parliamentarians need to be equipped with the necessary skills to effectively oversee budgetary processes to ensure that gender is mainstreamed into those budgets, and that adequate resources are allocated for the implementation of the legislative framework.

Increasingly in Sub-Saharan Africa, the context within which women's human rights are to be protected and realized is one of decentralization or decentralizing states. Contemporary decentralization is changing the relationship between citizens and the state, and is having an impact on the entitlement of citizens to certain rights and in this particular case, on women's entitlement as citizens to the protection and realization of their rights, as required by international and national legislation. A significant reason to undertake regional and comparative initiatives,

such as the RCSA, is the determination of whether in practice this decentralization reforms, contributes to, or hinders the realization and protection of women's rights.

A1b. Recommendations

It is recommended that a multi-faceted regional training program be conducted on the use of CEDAW as an advocacy tool for NGOs; as an international human rights tool for the judiciary; as an introduction in the preparation of shadow or alternative reports; and as an example of the methodology of data collection for evidence-based advocacy. Similar training on international human rights instruments was requested by representatives of the SADC Lawyers Association.

It is recommended that a regional workshop on violence against women be conducted to collect and share best practices from the SADC region on drafting of legislation, advocacy campaigns, enforcement and implementation, and monitoring of such legislation. It is further recommended that the conference organizer be housed and resourced within a SADC regional domestic violence organization.

It is recommended that a regional training program be provided for parliamentarians on women's legal rights to assist in developing a critical mass of legislators in the region who can advocate and lobby for women's legal rights from an informed position. It is further recommended that the South African Women's Budget Initiative (WBI) be further developed as a tool for the regional parliamentarians to ensure that national governments can resource their own programs and services.

It is recommended that a project on women's legal rights be implemented in collaboration with associations of women entrepreneurs. This project should focus on three main areas including training micro-entrepreneurs in women's legal rights and provide them access to mentoring, identifying the legal, institutional, and cultural constraints to operating their businesses and fostering public/private enterprise partnerships. It is understood that women entrepreneurs, micro-entrepreneurs and women engaged in commerce in the informal sector not only need legislation to facilitate their business development, but are key stakeholders in the economic empowerment of women in Africa. Knowledge of all aspects of their legal rights will have a cascading effect throughout their communities.

A2. Judicial Enforcement

A2a. Findings

One critical area related to judicial enforcement is the intersection of violence against women and children and HIV/AIDS. In fact, WLSA has made gender and HIV/AIDS their main research project for 2004. This is an approach that should be implemented at a regional level to ensure HIV/AIDS is a lens through which all areas of discrimination against women are viewed. Without remedying the inequality of women and improving judicial enforcement of legislation in a gender-equitable manner, the prevalence of HIV/AIDS in Africa will continue to worsen.

Training for all personnel in the judicial system was also identified as a key need in the region. The University of the Western Cape's Community Law Centre (CLC) Gender Project has developed a

curriculum for training police used in the SADC region that could be replicated as a model for future training programs for justice sector officials.

A2b. Recommendations

It is recommended that efforts be undertaken to encourage the SADC Lawyers Association to cooperate with WLSA in providing expertise and training, as well as counsel, particularly for indigent representation of women. It is also recommended that partnerships be developed with legal resource centers and legal assistance centers to increase the availability of legal services.

It is recommended that a regional conference of key law enforcement personnel be organized to encourage senior management to develop and implement criteria for conduct for all officers regarding women's legal rights. While the training initiatives themselves must be bottom-up, they should demonstrate leadership at the highest level and the required accountability of all personnel.

It is recommended that the newly formed Southern African Regional Network of the International Association of Women Judges be the key partner for the development of judicial training activities in the region.

A3. Civil Society Advocacy

A3a. Findings

There are a number of civil society organizations in Southern Africa whose activities and mandate have a particular regional focus. Women and Law in Southern Africa (WLSA) and Women and Law in Development in Africa (WiLDAF) both have regional Southern African programs for achieving law reform and consistency of legislative frameworks. The SADC Women's Parliamentary Association's activities, described herein, while less civil-society based, enhance opportunities for civil society to engage in advocacy.

Gender Links has also conducted trainings, advocacy campaigns, and public awareness campaigns with a regional focus. All of the women's legal rights issues they have advocated for have both a national and a regional implication.

Civicus, an umbrella organization for civil society with membership from 65 countries will host its world assembly in Gaborone in March 2004. This forum will provide an opportunity for NGOs to network and learn more about advocacy and public awareness campaigns. Another aspect of Civicus programs is a civil society index that is currently being carried out by 35 countries to assess gaps in the civil society framework.

A3b. Recommendations

A number of recommendations are made for working on a regional basis. The training of parliamentarians through the SADC Women's Parliamentary Forum will impact civil society by strengthening their allies in governments. It is further recommended that leadership training for NGOs be conducted at a regional level.

Gender Links has significant experience with regional trainings on gender violence, media, information technology and education. The level of sophistication of this organization is quite high as well as their institutional capacity. These programs should continue to be expanded within the region to share experiences and successful models that have been implemented in Southern Africa. Additional regional trainings should include training for participatory research and evidence-based advocacy that will be conducted to develop impact studies and assessments on the use of CEDAW and other international human rights mechanisms. These training should initially be conducted utilizing international experts with a component for training local NGO advocates who can continue this work in a sustainable manner.

It is recommended that NGOs and CBOs receive training in innovative advocacy strategies, capacity building, fundraising, social enterprise, and leadership. It is further recommended that regional NGOs be supported to attend the Civicus World Assembly in March 2004 in Gaborone, Botswana. This program will provide opportunities in regional and global networking, exposure to a wide range of donors, and the chance to attend numerous workshops on best practices and women's legal rights, HIV/AIDS, legal advocacy, and the sustainability of NGOs and CBOs.

A4. Public Awareness

A4a. Findings

Both WLSA and WiLDAF have carried out regional public awareness campaigns on issues such as inheritance law, customary law, divorce and family law, and violence against women. Gender Links has also conducted regional campaigns and public awareness on women in the media and violence against women. The organization conducted an extensive campaign in South Africa as part of its 16 Days of Activism against Gender Violence.

A4b. Recommendations

It is recommended that the WLSA and WiLDAF public awareness campaigns be resourced to focus on the linkage between HIV/AIDS and discrimination against women in law and practice. The impact of HIV/AIDS with customary law, inheritance, land rights, and family law is readily apparent. Further, it is recommended that such campaigns be integrally linked with the work of the Women's Parliamentary Caucus regional women judges associations, the Council of Women World Leaders, the Gates Foundation, and other USAID and other donor initiatives. A comprehensive strategy should be developed under USAID leadership in order to ensure that the impact of such a regional program will lend itself to continued expansion. A second regional campaign is recommended in the application of international human rights mechanisms such as CEDAW. Any public awareness campaign on violence against women should emphasize the impact on and the need for improvement in women's socioeconomic rights.

B. Botswana

B1. Legislative Framework

B1a. Findings

Botswana is a member of the Commonwealth, the African Union, and SADC. Rule of law is a fundamental principle of Botswana's legislative framework, and the country has made efforts to ensure that its laws are in conformance with international human rights standards. The *Report on a Review of all Laws Affecting the Status of Women in Botswana* reviewed several pieces of legislation from a gender perspective to ensure compliance including the Public Service Act of 2000, the Affiliation Procedures Act, the Penal Code of 1998, the Criminal Procedure Code, the Deed Registry Act, the Employment Act, and the Citizenship Act.

One of the main issues identified by the organizations consulted is the discrimination against women based on present inheritance laws, which is being exacerbated by HIV/AIDS. The conflict between customary law and national legislation has not been well documented and has been identified as both a national and regional priority to study. Both the national constitution and international human rights standards are underutilized as advocacy tools to combat these legal barriers faced by women.

Another issue that was identified as critical for women is access to credit for women entrepreneurs. It has long been recognized that the economic "backbone" of Africa are women entrepreneurs. Recently, the United Nations appointed a commission to focus on entrepreneurship as a way to poverty eradication, with the role of women as micro-entrepreneurs identified as a priority. Policy and regulatory frameworks and the constraints to operating businesses for women, such as laws and practices regarding access to land, capital, and credit, need to be documented in order to support advocacy for change.

B1b. Recommendations

It is recommended that innovative advocacy techniques be developed to train local NGOs on the new sexual violence law, particularly evidence-based advocacy. A second component to this advocacy training would be to bring together the Women's Parliamentary Caucus and the women's legal rights advocates to develop sound constitutional arguments regarding the responsibility and obligation of the national government to fund women's rights programs and services.

B2. Judicial Enforcement

B2a. Findings

The critical area of judicial enforcement for Botswana has been the implementation of all forms of legal protection in the areas of violence against women and children including rape, the so-called "marital rape," sexual violence, child abuse, and domestic violence. The link between violence and HIV/AIDS is a critical one that all groups are focusing on but that also requires additional support.

The legal aid system is operating under severe disadvantages with a lack of staffing, resources, and expertise. The level of services presently available is not sufficient to meet the needs of all women who require assistance. While some NGOs and the law school legal clinic provide substantial assistance, additional resources are still needed for women to have fair and equal access to justice.

B2b. Recommendations

The recommended regional initiatives, previously discussed herein, are also applicable to Botswana on a national basis. It is recommended that monitoring of the new Sexual Offences Act be facilitated in conjunction with Emang Basadi and the Women Against Rape organization. It is further recommended that drafting of a domestic violence law be completed in conjunction with a review of domestic violence legislation in other jurisdictions to assess best practices and lessons learned. A careful review of the implementation of domestic violence legislation in neighboring countries should be made to determine what practices have been the most effective in protecting women. Additional resources, training, and support should also be provided for legal aid to women, including NGOs and law school clinics.

B3. Civil Society Advocacy

B3a. Findings

The NGO community has been active in Botswana for over 20 years. There are a number of NGOs dedicated to the protection and promotion of women's rights. During the time of the Beijing Conference, the NGOs were working very actively and coordinating their efforts and resources. However, in recent years a number of NGO leaders have left to accept positions in government or other organizations. This exodus has left a gap in leadership ability in many of the NGOs resulting in a loss of momentum in the fight for women's rights. The institutional capacity of many NGOs remains low and sufficient funding is not available. Botswana has been classified as a middle income country resulting in many donors withdrawing support. NGOs are now seeking corporate sponsorship, but this is proving difficult due to a lack of fund-raising skills within the organizations and the fact that most corporate headquarters, where funding decisions are made, are located in South Africa or other regions of the world.

Most organizations either do not have sufficient personnel resources or are not sufficiently trained to multi-task. It is difficult for NGOs to retain qualified staff, especially professionals such as lawyers and psychologists, due to the low salaries they are able to provide. While volunteers are used in a number of NGOs there also appears to be a lack of ability to properly utilize their services in an effective manner. Many NGOs presently are or have been led by a "charismatic" leader and once that person leaves the NGO there is no leadership capacity remaining and the organizational structure suffers.

One of the preeminent organizations, Emang Basadi, began informally in the mid 1980s in preparation for the Nairobi Conference in 1985. As a result of the preparation for the conference, the NGO recognized the lack of awareness of women's legal rights. Emang Basadi was formalized as an NGO in 1986 and organized a conference in 1987 at the University of Botswana and entitled "Women and the Law in Botswana," during which women began to realize there was more

resistance to equality in their country than they had anticipated. Emang Basadi presently has four project areas: 1) political education and decision-making; 2) a resource center that produces and gathers materials and provides Internet services; 3) women's economic empowerment including training and small loans; and 4) a legal aid and counseling center.

The main goal of the Emang Basadi legal aid and counseling center is to promote respect for human rights, especially for those of women and children. This program has two staff members, a lawyer and a counselor who provide counseling services to both domestic violence victims and perpetrators. The organization also has a civic education component designed to sensitize the public about domestic violence as well as a lobbying and advocacy campaign designed to identify laws and practices that are discriminatory and bring them to the forefront for discussion and change.

Emang Basadi is the only legal aid office specifically targeting women and children. This legal aid office has far more potential clients than they have the capacity to serve and therefore, limit their services to low income clients. Most of the cases are divorce, property division and child support and maintenance issues. Due to provisions in the Legal Practitioners Act, NGOs are not allowed to employ lawyers to represent clients. Therefore, the staff attorney is employed by a law firm that is paid by Emang Basadi for her services. This process is costly and the program is already experiencing funding problems. They fear that they may have to close if additional funding is not secured soon.

Emang Basadi also provides training of police in gender issues. The police are cooperating but progress in changing their attitudes has been slow, particularly about violence. Police typically see domestic violence as a "family matter" best dealt with in the home and without their intervention. Emang Basadi is now trying to identify people that work in villages and can be trained as paralegal or "lay advocates" to provide additional assistance, such as social workers and voter educators. They have recently developed a concept paper for a regional conference designed to share experiences.

The Women's NGO Coalition, organized in 1993 in preparation for the Beijing Conference, is led by coordinator Vivian Gunda. In order to be well-prepared for the Beijing conference, the NGO community decided to pool their resources and select areas of concern. These areas included education, violence, the girl child, decision-making power, health and employment. The Coalition was formalized in 1997 to monitor the areas of concern and conduct lobbying and advocacy. They presently have 3 paid staff members and utilize volunteers for additional assistance. In order for them to be successful in their lobbying campaigns they need more research, as the government requires proof in the form of statistics and empirical data. In particular there is a need for research on customary laws and their impact. The Coalition recognizes its need for capacity building, particularly in knowing when and how to properly intervene in the legislative process. Most programs are local but they do network regionally. They want to participate in a regional workshop to discuss common issues and how they have been resolved in the various countries.

The Coalition has also conducted trainings with police, tribal chiefs, and community leaders. They are working to change the attitude that domestic violence is a family matter. Many women feel they have to accept violence and this is perpetuated by the traditions that tell women they must

keep the family together. When victims do approach the police they are re-victimized by the process. There were reports of the police questioning women in the open areas in the police station, asking them about the clothes they were wearing and suggesting they caused the situation. The Coalition is attempting to sensitize police and make the system more victim-friendly.

Another organization that began as a result of the Beijing Conference is the Women's Shelter Kagisano (translated as living in peace and harmony). They began operations in 1998 and were originally working with refugees. After the refugee crisis passed their focus changed. They are the only shelter in Botswana and have clients from all over the country. They also have a "drop-in" counseling center. Fifty-five percent of cases are related to domestic violence. The shelter pays for the services of a lawyer and doctor from their funding sources. One difficulty this presents is that these professionals are not activists and do not add to the organizational capacity to advocate for change.

The women's shelter has been actively involved in the recent so-called "marital rape" case that was very present in the media during our visit. A woman who had left her husband was abducted by him and raped. The woman filed sexual assault charges against her husband. However, the Magistrate dismissed the charges stating that a husband cannot rape his wife. They plan to challenge the ruling and pursue a private prosecution if necessary. However, they will need additional support and resources to effectively pursue this case. Their present plan is to work through the NGO Coalition and utilize their resources and advocacy capacity.

The Botswana office of WLSA is currently conducting research on women and HIV/AIDS as Phase V of their research program. Prior phases included research and resulting publications on the issue of alimony and child support, inheritance, the role of the family, and violence against women. WLSA is also experiencing institutional capacity issues, having recently undertaken a leadership change, and suffers from a shortage of staff. The organization does not have a full-time lawyer on staff as the salary to retain one would be twice the salary of the program officer. They presently have five part-time employees (two lawyers and three sociologists) conducting research as part of the current phase which will take three years to complete. The research publications are available at their office for citizens to read or purchase and they have also been distributed to libraries, parliament, police and other institutions. WLSA has a good relationship with police and has launched two new rape kits for both victims and perpetrators. They are conducting training for police on how to use the kits appropriately. There are now special police units to handle rape cases and assist victims and the organization is attempting to provide support and training to these units.

The Law Society of Botswana began operations in 1998 and has 170 members including 20-30 women. Sanja Manahan, formerly a magistrate with the Department of Justice, is the director. The Society itself has not taken any specific women's rights initiatives. However, during their annual meeting in November the agenda will include a discussion of legal representation for women and children. While there is no continuing education requirement for lawyers in Botswana they do provide such opportunities for their members. A women lawyer's association has recently formed but has yet to undertake any significant activities.

B3b. Recommendations

The advocacy efforts of the NGO community are evidenced through the change in numerous laws, the opening of a shelter, and the legal aid services that are available. However, there are a number of institutional issues that almost all NGOs continue to face, included funding and lack of leadership. Many NGOs are in fact more of an NGI (Non-governmental Individual) and when that person leaves, the organization dissolves. It is important that a team of managers be developed and further networking be supported so that this situation is avoided. It was recommended that the organizations should be “learning organizations” and develop mentoring programs. It is important for staff to be multi-skilled to handle a variety of tasks and for part-time staff and volunteers to be effectively utilized. Leadership training is critical for all members of the NGO staff.

While there is some cooperation with the government, improvements are needed. A dialogue should be developed between NGOs, the government and the corporate sector to determine how each can contribute time and resources to promote sustainability of projects. It is therefore recommended that the WLR project facilitate a consultative process between government, NGOs and private sector representatives, possibly as an initiative of the Regional Women’s Parliamentary Caucus. It was generally acknowledged that NGOs in Botswana are not sustainable and that none of the organizations are capable of paying the salaries without donations. It is recommended that the WLR facilitate a roundtable with NGOs and donors to promote funding and sustainability.

B4. Public Awareness

B4a. Findings

A variety of public awareness campaigns, focusing on issues such as domestic violence, inheritance and property rights, have been conducted by the NGOs discussed in Section B3a. Numerous publications on issues related to women’s legal rights have been developed and distributed throughout the country. However, there is still a great lack of awareness particularly of legal rights and how to pursue those rights.

Emang Basadi has a very extensive resource center and library with Internet access. WLSA has also produced research publications, as noted above, which were distributed to the community. The Women’s NGO Coalition conducted a 16 Days of Activism Against Gender Violence campaign with t-shirts, posters, and drama/theater groups. These dramas were conducted in bus and train stations to attract people to their workshops. In addition, a drama group gave a performance as part of their launch of the WHO World Violence Report. Despite this being a world report, the drama brought the message home on a local level and was hailed as an event to be repeated throughout the country.

B4b. Recommendations

Despite significant progress by civil society organizations in Botswana there remains a great need to empower women. Many women tend to sit back and wait even though they are very capable of taking the lead. Women make up the majority of the population in the rural areas and need to be made aware of their rights and sensitized to these issues so they can take the initiative to protect themselves. NGOs in Botswana are struggling to survive and need to be encouraged and supported.

The NGOs need to provide tools for women to stand up and take responsibility for their livelihood. The momentum surrounding the preparations for and the follow-up to the Beijing conference appears to have subsided and organizations need to be re-energized. It is recommended that this could initially take place through the attendance of local and regional NGOs at the Civicus Forum in March 2004.

One interviewee noted that having a great legal framework is of no effect if people do not know and understand the laws. Efforts to increase that awareness must be tailored to the audience to ensure those at the grassroots level as well as more sophisticated recipients understand the message. Laws are not written so that average people can understand them and more effort is needed to provide simplified versions of laws. Equally important is the delivery system for these messages. While television is a viable option in Gaborone, it is generally not effective in the remainder of the country. Radio has been a very effective way to reach people in their communities.

A further plan should be developed for a regional workshop on innovative ways to engage in legal advocacy and popular legal education, and focusing on awareness of violence against women. Efforts should be undertaken with a donor's roundtable, similar to the one that exists in South Africa, to facilitate ongoing funding for the anti-violence organizations working on domestic violence (Kagisano) and rape (Women Against Rape).

It is recommended that USAID play a networking and coordination role in leveraging existing opportunities in Botswana and regionally. For example, the Bill and Melinda Gates Foundation has chosen Botswana as a target country for the program on eradication of HIV/AIDS and funded the ground-breaking September 2003 "Conference to Examine Women's Issues Fight Against HIV/AIDS" hosted by the Parliament of Botswana, and co-sponsored by Mary Robinson's Ethical Globalization Initiative, the Washington-based International AIDS Trust, the Association of European Parliamentarians, and the Centre for AIDS at the University of Pretoria. USAID can play a critical role in developing tools for parliamentarians on enacting legislation, funding programs, and enhancing public awareness on the interconnectedness of HIV/AIDS and women's legal rights.

C. Mozambique

C1. Legislative Framework

C1a. Findings

As with all countries in the region, women have equal rights under the Mozambique Constitution and Mozambique is a signatory to all major UN treaties and conventions, including CEDAW and the Convention on the Rights of the Child (CRC). Similar to other countries in the region, there are gaps in the legal framework and a failure to comply with international norms and standards. The lack of specific domestic violence legislation was identified as a serious gap. The recently passed Family Law has not been reviewed for implementation and impact and the current Family Code remains from the days of colonialism.

Despite the constitutional provisions for the equality of men and women in all aspects of political, economic, social and cultural life, the civil and commercial legal codes contradict one another and the constitution. Women may not lease property, obtain a loan, or contract for goods and services without the approval of husband, father, or closest male relative. These legal barriers make it very difficult for women to start their own businesses.

WiLDAF noted the bureaucracy of the legal framework and how difficult it is to navigate through conflicting provisions of the law. They are looking at alternatives to improve the situation and are lobbying the justice minister and the attorney general (AG) on this point. A focal point for gender issues has been established within the AG's office.

Cultural traditions and customary law contribute greatly to the violation of women's rights. The National Institute of Gender, Democracy, and Leadership is presently conducting a study on the various forms of customary law in 12 communities and the results will be presented at local community roundtables. Customary law varies throughout the country, depending on the region. While property laws permit women to exercise rights over community land, held in trust through customary rights, in reality this seldom happens. HIV/AIDS is also a cross-cutting issue in Mozambique. It is estimated that 80 percent of marriages in Mozambique are customary. This situation is particularly problematic for inheritance purposes and even more so with deaths from HIV/AIDS continuing to increase.

C2. Judicial Enforcement

C2a. Findings

There is a crisis in the judicial system and one of the key factors is a lack of trained personnel in all areas. There is a need to document the impact of inheritance of land and lack of property rights on women and children due to the increase of HIV/AIDS. While this issue has begun to be addressed in other parts of Africa no studies have been undertaken of the problem in Mozambique.

Additionally, the link and the disparities between customary law and civil law on property issues needs to be studied and addressed. National standards should be developed and utilized in the resolution of these inheritance issues that adversely affect the rights of women or in the alternative advocacy for the use of international human rights standards needs to be employed.

C2b. Recommendations

A critical recommendation is to provide more legal services for women through legal aid centers and the use of trained paralegals. It is also recommended that training of all levels of judiciary, police and prosecutors be carried out, and that the training include the relationship between sexual violence and HIV/AIDS.

C3. Civil Society Advocacy

C3a. Findings

NGOs in Mozambique suffer from some of the same problems as those in Botswana, particularly related to capacity. One expert noted that there is no clear vision or strategy for gender issues in

the country. The attitude tends to be that if the country develops, the situation will be better for everyone including women. The low level of education, particularly in the rural areas, was indicated as a major challenge to women being aware of and exercising their rights. While women in the provinces are prepared to work and are often well organized, their success is hampered by their lack of education. It was noted that there are personality issues between NGOs in Maputo and that organizing those outside the city would be easier. It was recommended that more young people should be involved in NGO work rather than allowing the same small group to continue to control the NGO sector. There are a limited number of NGOs in rural areas with some of those located in Maputo having branches or conducting programs in the regions.

One of the most active NGOs in Mozambique is the Women's NGO Forum. It is a coalition of 59 organizations founded in the early 1990s. They have advised and lobbied on a number of laws including the real property law in 1995, the labor law in 1998, and the family law during the past two years. They are presently hosting working groups on the family law and domestic violence law. The NGO Forum gained strength before the Beijing conference. They participated in the "All Against Violence" campaign during which the NGOs cooperated and divided tasks to effectuate a successful awareness raising exercise about violence against women. The Forum's assigned responsibility was for publications, which included one with legal information and one with clinical/medical information. They organized a march in 2001 against domestic violence and poverty and submitted a declaration to the head of state. They noted that an important lesson learned from that process was that while it is important to work with government it is also necessary to step back and see where they need to defend women directly.

The Mozambican Women's Association (OMM) began in 1973 during the national struggle for independence to promote the emancipation of women. They currently work throughout the country and lobby government to include women's participation in all areas of life. They have been effective in lobbying ministries for the appointment of women; 16 women now serve as district administrators and 6 women as post administrators. The OMM have training centers for women throughout the country as part of an education program funded partially by the Ministry of Education and partially through NGOs. They were also involved in the lobbying activities for the family law and the "All Against Violence" program. They organized a group of 22 women in 6 areas of the Maputo province to spread the message to the community that women do not have to tolerate abuse. The association seeks to make women aware of their rights and help them defend themselves.

MULIEDE was founded in 1991 with members from a variety of professions including doctors, lawyers, and counselors. Their programs focus on legal assistance and women's health. The legal assistance program is comprised of volunteer lawyers who provide free legal services to indigent clients. They have recently experienced an increase in employment discrimination cases due to HIV/AIDS sufferers losing their jobs. They also represent violence victims and presently have a case where a woman's ears were chopped off by her husband. Their health program focuses on HIV/AIDS and reproductive rights. MULIEDE has delegations in a number of cities and offer legal assistance in two cities outside of Maputo. They emphasized the slow judicial process and the need for a coalition of NGOs to advocate for reform in this area.

The Women Lawyer's Association provides legal assistance to vulnerable groups, conducts research on the legal framework, and advocates for changes in the law. They have a radio advocacy program and have conducted training workshops in the regions on issues such as labor law and legal literacy. The weekly radio program provides legal advice and answers callers' questions. They have cooperated with the NGO Forum on drafting both the Family Law and the domestic violence law.

AMODEFA, a long-time USAID partner, promotes the sexual and reproductive rights of men, women and youth. They have three focus areas: training youth as community activists and counselors, community based services to distribute contraception and provide pregnancy counseling, and HIV/AIDS prevention and home-based care. They work actively at a community level operating inside of hospitals to reach a broader audience. They are training community leaders, including agricultural cooperatives and livestock associations, to build capacity at the local level so the projects will be sustainable.

COMMUTRA, Committee of Women Workers, with 15,000 members, advocates for the protection of working women by lobbying to improve labor legislation, attempting to prevent HIV/AIDS discrimination, and providing training for working women. They conducted a "train the trainers" program with a trainer from Denmark for 56 participants who are now training others. Each of the 15 unions has a women's committee that COMMUTRA has trained in Maputo on labor law, gender and equality, leadership, violence, and harassment. In an effort to reach working women at convenient times they conduct a series of trainings at the workplace for two to four hours at a time.

The Eduardo Mondlane Agricultural Cooperative is led by a group of women who have been successful in securing land for their farming venture. This is an unusual occurrence in Mozambique as women are generally forbidden to hold rights to land. The cooperative has 60 hectares that was designated as farm land "for the people." The women made a successful application for the land despite discrimination and cultural attitudes that espouse that women have no rights. These women are carrying water by hand and cultivating the land with a hoe. When asked what we could do to help them they replied that they need a tractor and a water pump. They emphasized the need to sensitize women to be advocates on land issues and the importance of their obtaining title to the property.

C3b. Recommendations

Institutional capacity of NGOs needs to be improved and coalitions strengthened especially in the regions. It is essential to enhance women's decision-making power at the community level. To achieve success it is imperative to work with local leaders who can influence communities and change attitudes. An advocacy campaign for the family Law should be developed and pursued involving lawyers and activists throughout the country to reach all regions. Due to the low literacy levels, it is important to develop creative methods of reaching the target audience including the use of dramas, audio visual techniques, and direct contact. One possibility for achieving these objectives is placing a short-term advisor in country to provide technical expertise at the community level with the goal of continuing the program with local expertise. Further, NGOs working on women's legal rights issues require trained lawyers within their organizations. The

main barrier to this has been funding, and it is recommended that project proposals be designed to include lawyers on staff.

There is an urgent need for women to have sufficient legal representation. In order to provide those services a comprehensive education and training program should be developed, particularly for the rural areas. An education campaign on the need for independent advocates and paralegals is essential to this effort. This project should work in partnership with existing legal aid providers in an effort to expand their services.

C4. Public Awareness

C4a. Findings

Mozambique has a very progressive constitution but, as noted by many NGOs, the practical reality is very different. There is a great lack of information; the country is physically vast and communication difficult. There are many local languages and information needs to be provided in those languages to reach women in the regions. The literacy level among women is very low and therefore creative methods must be employed to ensure public awareness. NGOs have utilized brochures with pictures, community radio, songs, and dramas as methods to spread their message. There is a particular need for community level awareness about domestic violence. Given the high rate of illiteracy and the lack of Portuguese spoken outside of urban areas, attention must be paid to local languages and local needs.

The Women's NGO Forum organized 150 NGOs for a campaign on land issues, utilizing one lawyer in each city to support the program. The campaign lasted for two years and they would like to see a similar campaign for the Family Law once it is fully approved by parliament. The Forum is utilizing internet technology and telecenters for training women. In one program this support allowed women in the regions to determine the prices of farm products in Maputo. Prior to that time women in the region were paying twice the price they could get in Maputo.

As part of the campaign to promote the adoption of the Family Law, a demonstration was held at parliament during which participants wore t-shirts demanding the approval of the Law. Participants told their representatives that if they did not vote for the Law, they would not receive their vote in the next election. The Association of Women and Social Communications conducted awareness raising about the family Law through the use of community radio. They developed a women-to-women radio network utilizing local languages. The Association has also emphasized a number of gender related issues including violence against women and provided information on where to seek help through the radio program. The Association also publishes supplements to the weekly and daily newspapers.

The Eduardo Mondlane Law School Clinic provides legal services to indigent clients, many of whom are abused women. Students volunteer to provide free services, but they have many more requests for assistance than they can accommodate. The clinic noted a lack of legal literacy and the importance of a legal education campaign. They suggested utilizing students when they return to their home towns to get the message out.

OMM works with the Ministry of Education to gender sensitize teachers in an effort to reach out to the younger generation and change attitudes. In the past the priority for education has focused on men and therefore, a huge percentage of women are illiterate. Hopefully, the new programs initiated through the ministry and the NGO community can alleviate the illiteracy and help women and young girls to become serious participants in the democratic process.

The AMODEFA organization has a number of campaigns regarding HIV/AIDS and sexual and reproductive health rights. In Maputo they utilize both radio and television but in the regions they rely on community radio. They often record interviews with community leaders and then replay them on community radio programs.

C4b. Recommendations

Due to the significant illiteracy in the country, public awareness must be a priority, especially for women. Public awareness campaigns are also essential for changing attitudes in communities to enable women to have the equality to which they are entitled. Based on the size of the country, the poor infrastructure, and the numerous languages, this task is a huge challenge. It is recommended that all programs be tailored to the particular region and the local language. Public awareness campaigns should focus on domestic violence, property rights, and the new Family Law. Community radio and programs to reach people at the grass roots level are highly recommended.

Any public awareness campaign must incorporate references to HIV/AIDS and address its impact on the particular issue being discussed. It is also recommended that training for women's organizations on information and communication technologies be provided in partnership with regional training organizations.

D. South Africa

D1. Legislative Framework

D1a. Findings

South Africa has some of the best legislation and constitutional framework for gender equality. However, as with other states, the implementation of that framework is lacking at a practical level. The Constitutional Court frequently employs international human rights standards and conventions in its decisions and issues groundbreaking decisions that evidence their full understanding of gender and race equality. The constitutionally mandated Commission on Gender Equality provides a 'watchdog' mechanism to Constitutional Court decisions as well as the drafting of all legislation.

Customary law practices need to be brought into line with the constitution. Research needs to be conducted on the extent of customary law and its impact on women and children, and what mechanisms can be used to retain customary and traditional practices while eradicating those aspects that are harmful to women and children.

D1b. Recommendations

It is recommended that innovative advocacy tools that already exist within women's NGOs be augmented with training on evidence-based advocacy and the strategic use of data collection. This work is urgent based on the implementation of 22 new sexual offense courts. This can be done in partnership with both the Gender Project at the Community Legal Centre at the University of the Western Cape and the University of Cape Town. This would be information presented at a regional training on prevention of violence against women program best practices.

D2. Judicial Enforcement

D2a. Findings

Organizations in South Africa focused on the need for improvements in implementation of the law, particularly with magistrates, police, prosecutors, and administrative tribunals. In particular, issues of violence against women and other legal rights such as property, marriage and divorce, and maintenance, are dealt with at the lowest level of the judicial system and usually impact women disproportionately.

Given the role of local courts and local government institutions, USAID should build on existing work with local governments to ensure that women's legal rights are mainstreamed. Women are most active politically at the local level, and a campaign on women's legal rights during the next election (forecast to be between April and September 2004) would be a significant opportunity.

Recently, 22 sexual offense courts were established throughout South Africa. The administration and decisions of these courts will require monitoring, not only to compile a best practices manual for their expansion, nationally and perhaps regionally, but also to monitor their practices for compliance with the legal principles of gender equality.

While there has been a great deal of training on issues of domestic violence, the awareness of police and prosecutors, especially at the lower levels and in the less urban areas, is sorely lacking. Also the role that women's socioeconomic rights play in relation to their legal rights in areas of violence has not been sufficiently emphasized.

Many interviewees commented on the need to monitor the specialized courts especially noting that personnel in these courts are considered to have a lack of awareness of the issues. There have not been any broad-based monitoring efforts for the implementation of legislation that either addresses violence against women or uses other laws to provide a partial remedy or prosecution.

D2b. Recommendations

It is recommended that a program be developed for the training of NGOs on monitoring the implementation of legislation at the grassroots level. This documentation can then be used in evidence-based advocacy and other strategic and innovative tools for lobbying and working with progressive parliamentarians. For example, the constitutional and international human rights instruments can be used to persuade national governments at the regional level that they must fund

their legislative commitments, thereby helping fund the costly enforcement of implementation. Further, cooperation with the private sector can be sought through collaborative roundtables.

It is recommended that training for lower level courts, magistrates, prosecutors, and police be given priority. We recommend a coordinated approach at the local level, accountable to local women's NGOs working on violence against women issues. This could complement the ongoing work on local governance presently funded by USAID.

It is recommended that an increase in resources be made for the provision of legal representation and legal aid. The need for women's independent advocates is very clear and urgent. The WLR Project can leverage its contacts with partner institutions such as law school clinics and NGO legal assistance centers to promote this activity.

It is recommended that a regional training on the use of international human rights instruments for lawyers, the personnel of lower level courts and advocates be developed and resourced.

D3. Civil Society Advocacy

D3a. Findings

There are a number of NGOs dealing with domestic violence and providing shelter and counseling services in South Africa. NGOs have experienced a loss of capacity in the "new" South Africa as funding has decreased significantly. As a result a lot of good talent has been lost from the NGO community. WLSA has been one of the most active NGOs in transforming legislation. South Africa has now moved to the stage where monitoring, enforcement and accountability are essential. NGOs do not know how to conduct these types of activities and have no standards for monitoring. Two NGO surveys indicated a 50 percent awareness of rights but problems with practical implementation. The Afrobarometer indicated a significant lack of confidence by the public in democratic institutions.

The University of Western Cape has an undergraduate course in Gender Law as well as a master's level module for gender equality and rights. The master's program is practice-oriented and requires students to review and critique CEDAW reports submitted by signatory countries. The Community Law Center located at UWC has a gender focus that includes programs related to violence against women, reproductive rights, vulnerable women and general outreach. They developed a pre-trial handbook for NGOs to help women victims through the legal process. They have also conducted training for police from 12 SADC countries. They have been involved in regional networking focused on domestic violence but find it difficult to sustain regional networks.

The Law, Race, and Gender Unit at the University of Cape Town (UCT) is involved in training judges, magistrates, and court staff from throughout Southern Africa on women's legal rights issues. This includes experienced based workshops, peer training, and training videos, as well as publication of a quarterly newsletter for magistrates. UCT also has a judicial certificate program in conjunction with Justice College, the government entity responsible for judicial training in South Africa.

D3b. Recommendations

It is recommended that NGOs and CBOs be trained in the collection of data to engage in evidence-based advocacy on the implementation of legislation, particularly on domestic and sexual violence. Potential partners to develop this methodology for NGO researchers would be the University of Cape Town's Institute of Criminology and the University of the Western Cape's Community Legal Centre's Gender Project. It is recommended that this partnership could then be expanded to strengthen links to the NGO networks on violence against women to include the associations of women parliamentarians, bar associations, judicial associations, the legal resource centers, and other networks. This would continue to serve the coordination component of the donors roundtable on violence against women.

D4. Public Awareness

D4a. Findings

Gender Links (GL) is one of the pre-eminent NGOs working throughout the Southern Africa region. GL's primary area of focus is the transformation of gender relations in and through the media by conducting research on gender disparities in media, developing gender training materials for the media, creating and sharing content that demonstrates how a gender perspective can be integrated into media coverage, taking advantage of opportunities presented by information and communication technologies for advancing gender equality, and strengthening the media and communication skills of gender activists and women in decision-making. In addition GL leverages its skills and expertise by providing research and advisory services on gender and governance more broadly. In all its work, GL strives to build strategic partnerships and networks and to serve as a catalyst for gender transformation by working through existing structures.

Gender Links was active in the 16 Days of Activism Against Gender Violence campaign which is held annually from November 25 (Violence Awareness Day) until December 10 (Human Rights Day). One of the activities included a media presentation about victims of violence each day during this 16-day time frame. The presentation was made as a part of the nightly news on the South Africa Broadcasting Corporation (SABC). Another activity involved the president visiting schools and giving whistles to children with the theme of "blow the whistle on violence."

Gender Links has just completed a study throughout Southern Africa about the connection of women in parliament on the types of legislation that is passed. A publication is forthcoming from the completion of this study. There has been a cascading effect in the region with South Africa leading the way on legislation in areas such as domestic violence and rape. The issue has now turned to implementation. The domestic violence law was adopted with little thought as to the costs of implementing it and that is now proving to be a barrier. It is important to empower women parliamentarians so that they in turn can push for implementation. Having an advisor at the parliament proved to be a successful model for South Africa where a Canadian advisor was placed for two years. It is important to have a hands-on approach for training legislators and a program that fits their time constraints and the issues that are important to them.

The Legal Aid Center at the University of Western Cape provides legal services through funding from the University Association of Legal Clinics. Approximately 70 percent of their cases are gender-related and they work closely with the NGO network on domestic violence. The clinic is

trying to change attitudes and mindsets. They encourage students to develop brochures, participate in marches, and volunteer to work in the specialized sexual offenses courts during their vacation time to provide victim support. Students also help with research and 40 papers on gender issues have been completed at the center.

D4b. Recommendations

It is recommended that Gender Links' ongoing public awareness campaigns be expanded within South Africa and regionally in collaboration with other existing partners such as Women's Net, WLSA, and WiLDAF. Innovative methods already exist for the development of legal literacy, legal advocacy and popular legal education and they should be incorporated into ongoing programs and expanded.

As noted, HIV/AIDS as a cross-cutting issue should be incorporated into all campaigns, especially those focusing on violence against women and children and the impact of customary law. It is also important to ensure that Agisanang (ADAPT) and the SA National Network on Violence Against Women educational campaigns are given increased visibility.

SECTION IV

Implementation Approach and “Next Steps”

A. Implementation Strategy for Southern Africa

Issues related to violence against women, discriminatory family laws, the denial of property and inheritance rights to women, the impact of HIV/AIDS, the lack of capacity within the NGO sector and of women in leadership roles all have wide-reaching negative impacts throughout Southern Africa. Not only are the lives of women adversely affected, but social, legal and economic institutions are greatly challenged and diminished by these factors. A number of aspects converge to create an environment where violence and the denial of women’s rights continue to flourish. The lack of legal systems to effectively deal with the problem, particularly the lack of implementation of laws, is a key factor. Poor economic conditions and weak civil society capacity also contribute to these problems. Moreover, the scourge of HIV/AIDS directly affects women’s legal rights and is a cross-cutting issue in the region. In order to combat these problems, we recommend that WLR design a regional program that focuses on domestic violence, discriminatory customary laws and practices, capacity building for civil society, women’s leadership particularly in the Parliamentary and NGO sectors, and women’s economic empowerment in the Southern Africa region. All programmatic activities will incorporate awareness on HIV/AIDS as a cross-cutting issue.

A1. Southern Africa Development Community Parliamentary Forum

WLR recommends a comprehensive regional activity involves supporting the SADC Parliamentary Forum Engendering Parliaments Plan of Action to eliminate laws and policies that continue to discriminate against women. Through this plan the SADC PF seeks to improve legislation that protects women’s rights. WLR proposes to support the Engendering Parliaments Plan by building the capacity of parliamentary gender committees and women’s parliamentary caucuses to ensure the passage of gender sensitive laws in all sectors. This will build the capacity of parliamentarians to demand accountability for implementation of National Gender Policies, Programs and Plans of Actions and equip parliamentarians with the skills to effectively oversee budgetary processes and not only ensure that gender is mainstreamed in the budgetary processes, but also that national gender mechanisms are adequately resourced to carry out their mandates. WLR would support training of parliamentarians on women’s legal rights with a focus on gender budgeting and CEDAW, with the aim of developing a critical mass of legislators in the region who can advocate and lobby for women’s legal rights from a more informed position.

Expected results. Training members of parliament on women’s legal rights will increase the promotion of gender sensitive and equitable legislation (IR1) by creating more informed parliamentarians and strengthened coalitions of women parliamentarians.

A2. Civil Society Organization Networking

Another recommended regional activity focuses on working with networks of NGOs and other stakeholders to advance the women’s legal rights agenda in the region. This work with regional

networks can result in a greater demand for implementation of established norms and standards, which would include holding governments accountable for the implementation of regional declarations other international treaties, such as CEDAW. Regional networks, including Women in Law and Development in Africa, Gender Links, Women and Law in Southern Africa, and the newly formed SADC Regional Network of Women Judges could be reinvigorated through WLR interventions. WLR would build the capacity of existing networks to plan and execute sustained lobbying and advocacy campaigns of women's legal rights in the region. This could include support for cross-border advocacy on women's legal rights through the use of information and communication technologies (ICT), research on the impact of HIV/AIDS on women's legal rights, support of legal literacy initiatives within communities, and support for organizations that provide legal aid to women whose rights have been violated. Further, capacity building for NGOs and CSOs has been identified as a critical issue in the region. Training of trainers in the sector of women's rights NGOs in the areas of sustainability and leadership would increase the capacity of women's rights organizations to carry out their mandates.

Expected results. Providing assistance to existing regional networks of women's rights organizations will improve the ability of CSOs/NGOs to advocate for women's legal rights and provide legal services to women (IR3). Supporting legal literacy campaigns will increase public awareness and societal receptivity to women's legal rights (IR 4). Increasing the capacity and sustainability of NGOs and CSOs will result in a strengthened ability of the sector to engage in advocacy activities to achieve all four IRs of the WLR.

A3. Violence Against Women

WLR proposes focusing on the critical issue of violence against women. Domestic and sexual violence against women remains a serious problem throughout the region. The true extent of this fundamental violation of women's rights is not known due to a lack of research. However, experts in the region acknowledge that it is a very substantial problem and one of the most serious ones currently facing women in Southern Africa. Support for a regional research project on best practices and lessons learned in confronting domestic violence would provide a useful tool for addressing domestic violence in the region and assist those countries in the region that are currently preparing draft domestic violence laws. Trainings on violence against women will be developed in collaboration with the national anti-violence organizations in the countries in the region. Trainings on evidence based advocacy will be developed for the anti-violence NGO organizations and the legal communities. A multi-pronged approach to training on CEDAW will be undertaken for promoting its advocacy including the use of an assessment tool, the preparation of alternative reports, and the use of international human rights instruments.

While passage of a domestic violence law is an achievement, it is also important to train legal and judicial professionals as well as advocates on implementing and enforcing the law. This will achieve real short-term results that ensure that women have an effective, appropriate, and reliable means of protection. Legal and judicial professionals should be trained to utilize current national law as well as international law, including CEDAW and other human rights treaties and laws as tools to protect women. At the same time, we can support the CSO/NGO community and national governments, such as Botswana and Mozambique, in drafting new domestic violence laws by providing technical expertise based on best practices and lessons learned in Southern Africa.

Expected results. Increasing assistance to NGOs/CSOs to address violence against women will improve their ability to provide service, engage in public awareness (IR4), and increase their leadership and sustainability (IR3). Training of parliamentarians and women’s advocates to design constitutional advocacy litigation strategies will lead to the compliance of the government with laws on violence against women and the mainstreaming of a gender budget approach (IR2). Technical assistance to local organizations for utilizing the domestic violence law and monitoring it to ensure its effective implementation will increase the promotion of gender sensitive and equitable legislation (IR1). Providing additional technical expertise that will educate CSOs/NGOs and government on this topic will lead to increased community cooperation with justice sector institutions, law enforcement, administrative agencies, and legislative bodies (IR4). Training legal and judicial professionals to effectively utilize laws that protect women’s rights will improve implementation and enforcement of laws (IR2).

A4. Legal Aid and Legal Literacy.

WLR also proposes a focus on legal literacy and legal aid in support of women’s legal rights. This may include a legal literacy campaign in partnership with existing CSOs/NGOs. WLR proposed activities related to legal aid will focus on enhancing the institutional capacity of CSOs/NGOs that provide legal services to women, particularly in rural areas. WLR legal literacy and legal aid activities that may be country-specific, for example in Mozambique, will be linked to regional initiatives.

Expected results. The legal literacy program will be fully integrated into the regional approach to violence against women and HIV/AIDS awareness, and will result in improved public awareness (IR4).

A5. Advocacy and Litigation Program.

It is proposed that the WLR will work with the Georgetown University’s International Women’s Human Rights Clinic Program to provide access to resources in the African region on best practices and lessons learned from their pan-African advocacy program and the LAWA program. Success stories on impact litigation, legislative drafting, the passing of laws, and test cases will be shared at a regional workshop to be held in Botswana. These lessons and practices will be widely shared throughout the region in an ongoing email list serve and a publication to be completed by the end of Year 3. Final reports and findings will be posted to a website that will provide ongoing information and sharing of resources throughout the region.

Expected results. Increasing the capacity of CSOs and women’s legal rights advocates to undertake more strategic advocacy strategies will result in the promotion of equitable legislation (IR1), improved capacity of NGOs to advocate for women’s legal rights more effectively (IR3), and increased public awareness of test cases and legislation (IR4).

A6. Customary Law.

WLR recommends engaging in research on customary law and practices with the intent of

providing a guide to test case impact litigation on the issue. Customary law is an issue that impacts on women's legal rights throughout the region. Successful test case impact legislation that has resulted in a significant change to the domestic law will be reviewed and researched. A manual on how to conduct impact litigation on the issues of customary law will be developed in collaboration with regional organizations and disseminated widely in the region.

Expected results. Increased awareness of the discriminatory practices of customary law will result in increased public awareness (IR4) and improved implementation and enforcement of existing national laws (IR2).

B. Development of Action Plan

After comment and review of the assessment and analysis report by EGAT/WID and USAID/RCSA, an action plan will be developed based on the activities selected for implementation. The action plan will detail the specific activities, the methods for completing those activities, and timeframe for completion. These activities will reinforce USAID's relevant strategic objectives and coordinate with other Mission activities.

C. Next Steps

Following the initial visits to Southern Africa, the collaborative design of action plans, and USAID Mission and EGAT/WID approval of the action plan, the WLR team will begin implementation of the project. Implementation will take place over two years and will be guided by USAID Mission and EGAT/WID strategic objectives. Implementation will also include the development of partnerships with existing organizations and networks. In all cases, the WLR team will ensure maximum collaboration and coordination with USAID programs and partners.

The project will be implemented through local staff and partners, who will coordinate activities and serve as WLR project representatives. The local staff will be supported by short-term experts and consultants, primarily from the region, and will act under the supervision of the WLR Project Director while implementing the action plan. International experts will be utilized as needed.

Core home office team members will travel to Southern Africa periodically to provide supervision and technical assistance as required. In addition, they will be in regular communication – by email, phone and fax – with the field. The core team may identify technical experts on a specific topic to provide short-term field assistance and/or training for staff or implementation partners. Resources will be identified to ensure that capacity and sustainability are priorities for the ongoing continuation of the project and initiatives.

ANNEX A: LIST OF MEETINGS HELD

BOTSWANA

- 8/20/03 USAID RCSA - Keboitse Machangana, Democracy Advisor and Program Development Specialist
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- 8/21/03 Botswana High Court - Hon. Justice Athalia Molokomme
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- 8/21/03 Law Reform Committee, Parliament of Botswana – Hon. A Tafa,
Attorney General; P.O. Box 240 Gaborone, Botswana; Tel: 267-361-6800; Fax: 267-391-3103;
Hon. Robert K. Molefhabangwe MP for Gaborone West, member of the opposition; Tel: 267- 316-3992; Mobile: 267-7-171-2121, Fax: 267-392-2480;
E-mail: rmolefhabangwe@gov.bw and robert@mega.bw;
Hon. P.P.P. Moatlhodi MP for Tonota; P.O. Box 846, Tonota, Botswana; Tel: 267-248-5090/1, Mobile: 267-7-160-3998;
Hon. S.P. Kawindama, Member; Hon. J.J. Maruatone, Member
- 8/21/03 SADC Secretariat, Gender Unit – Bookie M. Kethusegile – Juru, Technical Advisor (Gender);
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- Banyana Monyena Parsons – Director
Gofaone Arntshilo – Finance Officer
Oratile Kidd - Economic Empowerment Officer.
Rosemary Mokgosi - Project Officer for Economic Empowerment
- 8/21/03 Botswana High Court – Hon. Justice Unity Dow;
Grand Palm Hotel, Private Bag Br105, Gaborone, Botswana;

Tel: 267-363-777; Fax: 267-391-2989

- 8/22/03 Botswana Customary Court of Appeal – Chief Levchive, president, and Mr. Malzepe Phineas, member
- 8/25/03 RCSA USAID Mission;
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- 20 members of the Mission were present including Acting Director Anthony Vadraska, Keboitse Machangana – D & G Advisor, John Wooten, Susan Bozman, Marsha Moosey, Cecelia Kope, and Kim Robertson - Regional Legal Advisor.
- 8/25/03 Emang Basadi – Legal Aid and Counseling Center,
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- 8/27/03 Justice J. Nganunu – High Court of Lobatse
- 8/27/03 CIVICUS – Morongoe Ntloedibe Disele, Conference Manager in Botswana;
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Scott Allen, Senior Policy Advisor, Lisa Whitley, Cecelia Khupe
- 8/28/03 SO Water Group, RCSA/USAID Mission
Deborah Kahatano- TBNRM Activity Manager and
Oliver Chapeyama
- 8/28/03 Management of Selected River Basins SO Team – Deborah Kahatano,
TBNRM Activity Manager
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- Carolyn Davis, Chief Gender Advisor
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Justice Lex Mpati – Deputy President

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ANNEX B**Interviewee Recommendations**

Name, Title, Organization	Date Interviewed	SOUTHERN AFRICA REGION				
		Recommendations and Suggestions				
		Legislative Framework	Judicial Enforcement	Civil Society Enforcement	Public Awareness	Miscellaneous
Keboitse Machangana, Democracy Advisor and Program Development Specialist, USAID/RCSA	August 20, 2003	<p>Support the Engendering Parliaments Project of the SADC PF in training parliamentarians on women's legal rights with the aim of developing a critical mass of legislators in the region who can advocate and lobby for women's legal rights from an informed position.</p> <p>Equip parliamentarians with skills to ensure that gender is mainstreamed in the budgetary processes and that national gender machineries are adequately resourced.</p>		<p>Build up capacity of CSOs to transition in terms of leadership. Develop mentoring and training programs for junior staff. Train NGO staff in multi-skilling and designing programs for volunteers.</p> <p>Work with regional networks that can demand implementation of established norms and standards.</p> <p>Support organizations that provide legal aid to women and children whose rights have been violated.</p> <p>Support advocacy and lobbying campaigns for governments to establish legal aid for people who cannot afford legal fees in the open</p>	<p>Support legal literacy initiatives within communities through supporting regional organizations that have national chapters.</p>	<p>Support research on women's legal rights issues related to HIV/AIDS.</p> <p>Support those areas of the SADC Gender Unit's plan of action that seek to promote women's legal rights.</p>

SOUTHERN AFRICA REGION

Name, Title, Organization	Date Interviewed	Recommendations and Suggestions			
		Legislative Framework	Judicial Enforcement	Civil Society Enforcement	Public Awareness
				market.	
Mission members, USAID/RCSA	August 25, 2003	Conduct a survey to show that women are disadvantaged by customary law in land rights issues.	Train lawyers on constitutional issues.		Help women identify constraints to their operating businesses.
Competitiveness and Rural Livelihoods SO Group	August 28, 2003	Review the implementation of the domestic violence law in South Africa as there have been mixed reactions.			Get more men involved and not just those at high levels.
Water Group SO					Use a bottom up approach for programming. Get down to the ground level. Hands on training and mentoring with a focused approach on certain groups in certain countries will be most successful.
Management of Selected River Basins SO					Work on changing laws and practices regarding women's access to land and financing.
Kim Robinson, regional legal advisor					Foster public-private enterprise partnerships.
Godwin Kunda, Administrator, SADC Lawyers' Association	August 26, 2003		Conduct workshops on women's legal rights for lawyers.		
Minkie Bokole, Program Officer, WLSA	August 26, 2003	Provide gender training to parliamentarians.			Conduct public awareness campaigns on gender issues in the rural areas. Change mindsets.

SOUTHERN AFRICA REGION

Name, Title, Organization	Date Interviewed	Recommendations and Suggestions				
		Legislative Framework	Judicial Enforcement	Civil Society Enforcement	Public Awareness	Miscellaneous
Morongoe Ntloedibe Disele, Conference Manger, CIVICUS	August 27, 2003			<p>Conduct practical and hands on workshops for NGO capacity building.</p> <p>Train NGOs on how to better access private sector funds and push for corporate responsibility. Bring NGOs and the private sector together in a forum to discuss under what conditions companies fund projects.</p>	<p>Raise legal awareness for women by conducting campaigns that help them know what kind of legal instruments can be utilized in certain situations.</p>	<p>Utilize web-like solutions by addressing linkages across women's legal rights issues and on local, regional, national, and international levels.</p>
Colleen Lowe Morna, Executive Director, Gender Links	September 8, 2003	<p>Educate women legislators who can influence laws and bring the issues down to the ground level.</p> <p>Work with local governments.</p> <p>Give profile to women's rights during the 9 elections that are due to take place in the region over the next two years.</p>		<p>Conduct research on HIV/AIDS and property rights and help CSOs advocate based on the results.</p> <p>Work with WLSA.</p>	<p>Provide innovative legal rights education. Make use of local culture and drama. Send educators to speak in town meetings, train stations and buses. Make laws available to the public in simplified language. Make use of audio-visual materials.</p> <p>Work with local media (radio) because it has power within communities.</p>	<p>It is good to get stakeholders together on a regional basis but it is more important to get down to the country level.</p> <p>Thin about issues regionally but cascade them down to the country level.</p> <p>Address the burning issue of the link between gender violence and HIV/AIDS.</p> <p>Move away from "broad brush stuff"</p>

SOUTHERN AFRICA REGION

Name, Title, Organization	Date Interviewed	Recommendations and Suggestions			
		Legislative Framework	Judicial Enforcement	Civil Society Enforcement	Public Awareness
					<p>Conduct a campaign on registration of customary marriages.</p> <p>Work not only with NGOs but also with CBOs. Build CBO capacity.</p>
					<p>and move into key strategic areas.</p> <p>Balance activity at the top and at the bottom when designing a regional program. Work with regional organizations that have hands and feet in the ground through their partners.</p>

BOTSWANA

Name, Title, Organization	Date Interviewed	Recommendations and Suggestions				
		Legislative Framework	Judicial Enforcement	Civil Society Enforcement	Public Awareness	Miscellaneous
Keboitse Machangana, Democracy Advisor and Program Development Specialist, USAID/RCSA	August 20, 2003			Build up capacity of CSOs to transition in terms of leadership. Develop mentoring and training programs for junior staff. Train NGO staff in multi-skilling and designing programs for volunteers.		
Athalia Molokomme, Justice, Botswana High Court	August 21, 2003	Address the legal framework in its entirety instead of chipping away at little parts of various discriminatory laws. Work more with CSOs and not the government on this. Put forward model legislation. Draft laws.	Provide training to the government on understanding, complying, and reporting on international laws.	Build CSO capacity to: (1) address issues of sustainability, (2) lobby for changes in legislation, (3) understand women's legal rights. Provide training on enforcement of international laws. Design a project to strengthen the NGO-government partnership.	Undertake a review of everything that has been done in the area of awareness raising and compile a state of the art/best practices document to disseminate to stakeholders.	Address practical needs. Work in the field of domestic violence. Best way to work on a regional basis is through regional NGOs.
A. Tafa, Attorney General, and Robert Molefhabangwe, opposition member, Law Reform Committee,	August 21, 2003	Provide information to the parliament on what other countries and regions are doing with respect to women's legal		Build CSO capacity. Provide technical and financial resources for existing projects.	Conduct intensive public awareness campaigns on marital rape, especially in rural areas.	Provide technical resources for the Women's Affairs Department.

BOTSWANA

Name, Title, Organization	Date Interviewed	Recommendations and Suggestions			
		Legislative Framework	Judicial Enforcement	Civil Society Enforcement	Public Awareness
Parliament of Botswana		rights.			
Banyana Monyena, Parsons, Director and Oratile Kidd, Economic Empowerment Officer, Kagisano Society – Women's Shelter Project	August 21, 2003		Train police and prosecutors on how to handle domestic violence cases. Support legal aid initiatives.		Conduct public awareness campaigns on domestic violence.
Unity Dow, Justice, Botswana High Court	August 21, 2003	Strengthen legislator knowledge on how the laws impact people and each other.	Train lawyers on women's legal rights through the Botswana law society.		Work on changing attitudes and mindsets on women's rights issues. Get men involved.
Ida Mokereitane, Coordinator, and Silibaziso Mtunzi, Legal Officer, Emang Basadi – Legal Aid and Counselling Center	August 25, 2003			Conduct a regional conference to facilitate the sharing of best practices and lessons learned. Provide additional funding to ensure the provision of legal services.	
Sanji Monageng, Executive Secretary, The Law Society of Botswana	August 25, 2003		Provide gender and human rights training for lawyers. Train lawyers in creative lawyering through the use of CEDAW and other		

BOTSWANA

Name, Title, Organization	Date Interviewed	Recommendations and Suggestions				
		Legislative Framework	Judicial Enforcement	Civil Society Enforcement	Public Awareness	Miscellaneous
			international conventions.			
Mmamosweu Vivian Gunda, Coordinator, Women's NGO Coalition	August 26, 2003		Facilitate exchange visits for the judiciary. Train police to understand violence against women.	Conduct gender research to support advocacy efforts by NGOs. Provide NGO capacity building on how to be successful in the legislative process. Facilitate a regional conference for NGOs to exchange experiences and best practices. Support the CIVICUS world assembly through funding and participation.		

BOTSWANA

Name, Title, Organization	Date Interviewed	Recommendations and Suggestions				
		Legislative Framework	Judicial Enforcement	Civil Society Enforcement	Public Awareness	Miscellaneous
Kgosi Kalosen, Deputy Chairman, Botswana House of Chiefs	August 27, 2003				Conduct seminars on human rights for traditional chiefs. Work on harmonizing culture with human rights.	
Valencia Mogogeh, Private Consultant	August 28, 2003	Start by conducting gender awareness training in the Parliament.		Build NGO capacity in areas such as staff retention. Strengthen NGO networks and create better dialogue between NGOs, government and the private sector.	Conduct public awareness campaigns with different packaging of information for different groups. Simplify laws for the general public. Use radio to reach those who can't read.	There should be a fine balance of empowering women while not losing sight of gender and development. Try to drive women's rights without appearing to create a problem for men. Conduct a stakeholder analysis to create a network of drivers.
Marty Legwaila, Director Women's Affairs Department, Ministry of Labor and Home Affairs and Elsie Alexander, Botswana National Council on Women	August 29, 2003		Provide gender training to the judiciary. Need a sustained gender sensitization program.	Facilitate CSO – public sector interaction.	Conduct public awareness campaigns on domestic violence and on recently amended laws that affect women's rights. Reach out to rural areas. Evaluate what methods of raising public awareness are most effective.	Gender-based violence is the priority. Brainstorm with stakeholders on potential activities; reviewing prior work/approaches and determine what works and what does not.

MOZAMBIQUE

Name, Title, Organization	Date Interviewed	Recommendations and Suggestions				
		Legislative Framework	Judicial Enforcement	Civil Society Enforcement	Public Awareness	Miscellaneous
Alcinda Abrcu, National Institute of Gender	September 3, 2003		Enable more access to legal services for women.	.	Conduct legal education campaigns, especially with regard to divorce rights.	Work on the issue of domestic violence.
Mario Seuane, Director, National Institute of Legal Assistance	September 3, 2003		Provide gender and skills training to legal assistants. Provide books and other materials that held legal assistants give better advice.		Conduct public awareness campaigns on women's rights that take into account the high illiteracy rate in the rural areas.	
Paulina Mateus Nkunda, Secretary, OMM	September 3, 2003			Provide training and materials to support legal rights issues. Fund extension of existing projects to other provinces.	Conduct public education campaigns on domestic violence; distribute leaflets with pictures for the illiterate.	
Edna Namitete, Representative, Association of Women Farmers and Educardo Mondlane Cooperative.	September 3, 2003				Conduct public education campaigns on women's legal rights via radio using local languages. Conduct legal education workshops at grassroots level.	

MOZAMBIQUE

Name, Title, Organization	Date Interviewed	Recommendations and Suggestions				
		Legislative Framework	Judicial Enforcement	Civil Society Enforcement	Public Awareness	Miscellaneous
Maria Benvinda Delfina Levi, Chief Judge, Maputo City Court	September 3, 2003					
Latify Ibrahimo, President, Association of Mozambican Women Lawyers	September 4, 2003				Conduct legal rights awareness campaigns through workshops, pamphlets, and radio programs in local languages.	
Maria dos Anjos Vasco Machonisse, Executive Director, AMODEFA	September 4, 2003				Disseminate legal rights information to the regions. Use local languages. Involve community leaders and women who have influence including traditional healers. Use drama, singing, dancing to relay the message. Work at community level to enhance women's decision- making power in sexual issues. Increase womens' awareness about property rights.	
Celeste Nobela, Vice President, MULEIDE	September 4, 2003	Work on the legal framework with regard to HIV/AIDS.				

MOZAMBIQUE

Name, Title, Organization	Date Interviewed	Recommendations and Suggestions				
		Legislative Framework	Judicial Enforcement	Civil Society Enforcement	Public Awareness	Miscellaneous
Women's Secretariat of the Assembly of the Government of Mozambique	September 4, 2003	Train female members of parliament so that they could go back to their villages and discuss issues such as Family Law.	Sensitize police, medical staff and judges on domestic violence.		Make the laws known through public awareness campaigns.	
Sansão Burque, Deputy Director, Ministry of Women and Social Action	September 4, 2003	Provide a technical assistance and/or advisor to the Department of Gender and Development.			Conduct community level awareness campaigns on domestic violence.	
Virgilio Elias Salomão, Chief, Department of Gender and Development		Provide best practices information from other countries.			Conduct legal rights campaigns in local languages.	
Teresinha da Silva, Director, Women's Forum	September 4, 2003				Provide gender training to the media, which has the power to influence society.	
Lúcia da Luz Ribeiro, Director, Legal Clinic, University of Eduardo Mondale	September 4, 2003				Conduct public awareness campaigns on issues of domestic violence, family law and reproductive rights.	
					Teach women's issues to the law students and then have them go back to the provinces where they are from and have them teach the local	

MOZAMBIQUE

Name, Title, Organization	Date Interviewed	Recommendations and Suggestions				
		Legislative Framework	Judicial Enforcement	Civil Society Enforcement	Public Awareness	Miscellaneous
					people.	
Carlos Cauio, President, Mozambican Bar Association	September 5, 2003		Train lawyers how to use international law. Willing to host a conference on the issue. Provide access to legal databases.	Facilitate the exchange of information among regional and other international partners.		
Cesta Chiteleca, Coordinator, COMUTRA	September 5, 2003				Conduct legal rights awareness and training. The approach of training the trainers works well.	
					Train women in the informal sector on how to manage businesses and how to make them profitable. ‘	
Fernanda Farinha, Private Consultant, Development Specialist	September 5, 2003	Concentrate on the legal protection of women regarding HIV/AIDS.	Help the judicial training institute set-up its gender activities.	Bring together NGOs in the provinces. Create coalitions around specific issues. Set-up mentoring programs for younger staff within NGOs. Help NGOs think	Educate women on their rights and why they are important in the first place. Grassroots education is the key to overcoming existing barriers.	

MOZAMBIQUE

Name, Title, Organization	Date Interviewed	Recommendations and Suggestions				
		Legislative Framework	Judicial Enforcement	Civil Society Enforcement	Public Awareness	Miscellaneous
Palmira Velasco, Coordinator, Association of Women and Social Communication	September 5, 2003			deeper about the issues they are advocating.	Provide education to communities on domestic violence and inheritance rights through the lens of HIV/AIDS. Help fund the creation of a newspaper that would print women's news in three local languages.	

SOUTH AFRICA

Name, Title, Organization	Date Interviewed	Recommendations and Suggestions			
		Legislative Framework	Judicial Enforcement	Civil Society Enforcement	Public Awareness
Johann Kriegler, Justice, Constitutional Court of South Africa	September 8, 2003				
					Consult locally; get as close to the grass roots as possible.
Lex Mpati, Justice and BJ van Heerden, Justice, South Africa Court of Appeals	September 8, 2003	Cooperate with the South African Law Commission on proposing new legal rights legislation for women.		Work with local government to empower women's organizations at the community level.	Educate women on what rights they have and how to enforce them.
Venda Modise, Rule of Law Specialist, Nomea Masihleho, Civil Society Unit Leader, Joan Feldman Lawrence, USAID/South Africa	September 10, 2003				Design a program that that keeps the issue of domestic violence in the public eye in a sustained manner. Raise public awareness on women's rights by making audio tapes and giving them to mini bus drivers to play for the public during transport. Make use of law day and open court day to educate the public on women's rights.

SOUTH AFRICA

Name, Title, Organization	Date Interviewed	Recommendations and Suggestions				
		Legislative Framework	Judicial Enforcement	Civil Society Enforcement	Public Awareness	Miscellaneous
Nico Steyler, Director and Hel�ne Combrinck, Senior Researcher for Gender, Community Law Center, University of Western Cape	September 11, 2003	Gather best practices and lessons learned from the struggles to pass domestic violence and sexual assault legislation and make them available to activists and legislators throughout the region.				Focus on one particular area because most issues are very broad (i.e. domestic violence).

ANNEX C

WLR Recommendations

SOUTHERN AFRICA REGION			
Legislative Framework	Judicial Enforcement	Civil Society Enforcement	Public Awareness
<p>Support the SADC Parliamentary Form Engendering Parliaments Plan of Action to eliminate discriminatory laws and policies by building the capacity of parliamentarians to demand accountability for implementation of National Gender Policies, budgetary processes and ensure that national gender mechanisms are adequately resourced to carry out their mandates</p> <p>Build the capacity of parliament gender committees and women's parliamentary caucuses to ensure the passage of gender sensitive laws in all sectors thereby addressing a broader aim of developing a critical mass of legislators in the region who can advocate and lobby for women's legal rights from an informed position.</p>	<p>Conduct a training on the use of CEDAW as an international human rights tool for the judiciary.</p>	<p>Work with regional networks of NGOs to advance the women's legal rights agenda in the region to provide the impetus for greater demand of implementation of established norms and standards, including holding governments accountable for the implementation of regional declarations and international treaties such as CEDAW.</p> <p>Build the capacity of existing networks to plan and execute sustained lobbying and advocacy campaigns of women's legal rights. Support cross-border advocacy on women's legal rights through the use of ICT and research on the impact of HIV/AIDS on women's legal rights. Support organizations that provide legal aid to women.</p>	<p>Support NGOs in conducting legal literacy campaigns that will increase public receptivity and societal receptivity to women's legal rights.</p>

BOTSWANA			
Legislative Framework	Judicial Enforcement	Civil Society Enforcement	Public Awareness
<p>Ensure that the impact of HIV/AIDS is mainstreamed into all legislative initiatives.</p> <p>Document the increased discrimination against women and girls due to the increase in HIV/AIDS, particularly in customary and traditional law, to ensure that practices that conflict with national and international law are redressed.</p> <p>Train parliamentarians to design constitutional advocacy litigation strategies.</p>	<p>Train the judiciary on the implementation of CEDAW and other international human rights treaties.</p>	<p>Provide resources for capacity building and leadership for the NGOs/CSOs dealing with all areas of women's rights.</p> <p>Facilitate a roundtable with NGOs and donors to promote funding and sustainability.</p> <p>Train the NGO sector on CEDAW to promote its advocacy including the use of an assessment tool, the preparation of alternative reports and the use of international human rights instruments.</p> <p>Train NGOs on evidence based advocacy.</p> <p>Provide assistance to NGOs/CSOs to address violence against women.</p>	<p>Support public awareness campaigns on violence against women as part of overall assistance to NGOs/CBOs to address the problem.</p>

MOZAMBIQUE

Legislative Framework	Judicial Enforcement	Civil Society Enforcement	Public Awareness
Include the members of the Women's Secretariat of the National Assembly in WLR's regional Engendering Parliaments activities.	Provide technical assistance to legal and judicial professionals to ensure implementation of the Family Law.	Enhance the institutional capacity of CSOs/NGOs that provide legal services to women, particularly in rural areas.	Conduct a legal literacy campaign in partnership with existing CSOs/NGOs on the Family Law and other laws that impact women's legal rights.

SOUTH AFRICA

Legislative Framework	Judicial Enforcement	Civil Society Enforcement	Public Awareness
Augment innovative tools that already exist within women's NGOs with training on evidence-based advocacy and the strategic use of data collection in partnership with the Gender Project at the Community Legal Centre at the University of Western Cape and the University of Cape Town.	<p>Train legal and judicial professionals as well as advocates on implementing and enforcing national law as well as international law, including CEDAW and other human rights treaties and laws as tools to protect women.</p> <p>Work with the Law, Race and Gender Unit at the University of Cape Town to design and implement a regional training program on domestic violence and women's legal rights for legal and judicial professionals.</p>	Provide technical assistance to local organizations on ensuring effective implementation of domestic violence legislation.	Partner with the Gender Program at the University of Western Cape to undertake a regional research project on best practices and lessons learned in confronting domestic violence to be used for advocacy on the issue and for drafting domestic violence legislation in SADC countries.

ANNEX D: BIBLIOGRAPHY

- Amalungelo. *From Sixteen to 365 Days*. Vol. 1. Johannesburg: Gender Links, August-September 2003.
- Arthur, Maria José, ed. *Inequality Policies? Rudiments for an Evaluation of Government and NGO Gender Policies and Programmes Post-Beijing, 1995-1999*. Maputo: Forum Mulher, 2000.
- Associação Mocambicana das Mulheres de Carreira Jurídica. *Principais Instrumentos Internacionais de Defesa dos Direitos da Mulher e da Criança*. Maputo: Gramol, 2001.
- Associação Mocambicana das Mulheres de Carreira Jurídica. *Relatórios de Pesquisa e Estudo Comparado sobre a Lei de Família*. Maputo: 2002.
- Barday, Raygaanah, and Heléne Combrinck. *Implementation of Bail Legislation in Sexual Assault Cases First Research Report 2000-2002*. Cape Town: Gender Project Community Law Center, 2002.
- Bene, Genoveva. *Direitos, Deveres e Liberdades Fundamentais*. Maputo: Associação Mocambicana das Mulheres de Carreira Jurídica, 2002.
- Botswana National Council on Women. *Strategic Plan 2001-2003*.
- CIVICUS. *Civil Society Watch*. Johannesburg: CIVICUS, May/June 2003.
- Dejene, Yeshiareg. *Gender Assessment and Recommendations for Enhancing Gender Integration into USAID/RCSA's Program*. Washington, DC: 2002.
- DevTech Systems, Inc. *Gender Analysis for USAID/RCSA*. 2003.
- Dingake, Oagile Key, et al. *A Critical Analysis of Women's Access to Land in the WLSA Countries*. Harare: Women and Law in Southern Africa Research Trust, 2001.
- Ditshwanelo – The Botswana Centre for Human Rights. *Press Statement on 'Marital Rape.'* Gaborone: 2003.
- Dow, Unity, and Puseletso Kidd. *Women Marriage and Inheritance*. Gaborone: Women and Law in Southern Africa Trust, 1994.
- Emang Basadi. *Emang Basadi Legal Aid and Counseling Centre: Concept Paper for USAID (Chemonics International)*. Gaborone: 2003.
- Emang Basadi Women's Association. *Political Education Project, a Strategy that Works*. Gaborone: Lentswe La Lesedi (PTY) Ltd., 1998.

- Emang Basadi Women's Association. *Rape in Botswana: Statistics, Profiles, Laws and Consequences*. Gaborone: Lentswe La Lesedi Ltd., 1998.
- Emang Basadi Women's Association. *Report of Baseline Study on Land and Property Grabbing*. Gaborone: Lightbooks, 2002.
- Emang Basadi Women's Association. *The Women's Manifesto*. 2nd Edition. Gaborone: Lentswe La Lesedi (PTY) Ltd., 1999.
- Erickson, Christine. *Women in Botswana: An Annotated Bibliography*. Gaborone: Women and Law in Southern Africa Trust, 1993.
- Faculty of Social Sciences. *University of Botswana Department of Law Handbook 2003/2004*. Gaborone: 2003.
- Fórum Mulher. *Lei da Família Memórias e Documentação*. CD-ROM. Maputo: Pandora Box, 2003.
- Fórum Mulher, ed. *Todos Contra a Violência*. Boletim Informativo No. 35. Maputo: Central Impressora e Editora de Maputo, 2003.
- Fórum Mulher, ed. *Todos Contra a Violência*. Boletim Informativo No. 36. Maputo: Central Impressora e Editora de Maputo, 2003.
- Fórum Mulher. *What is the Women's Forum?* Maputo: Brithol Michoma Gráfico, 2001.
- Gender Links. *Gender Links Annual Report 2002-2003*. Johannesburg: C&R Business Systems Ltd., 2003.
- Gender Links. *Gender Links Strategic Plan March 2003 - February 2005*. Johannesburg: 2002.
- Gender Links. *Sixteen Days Final Media Report*. Johannesburg: 2002.
- Gender Links and AIDS Law Project. *Gender and HIV/AIDS: A Training Manual for Southern African Media and Communicators*. Johannesburg: DS Print Media, 2003.
- Gender Project. *Gender News*. Vol. 6 No. 1. September 2002: 1-12.
- Gender Project. *Gender News*. Vol. 6 No. 2. November 2002: 1-12.
- Government of Botswana, Ministry of Labor and Home Affairs, Department of Women's Affairs. *Report on a Review of all Laws Affecting the Status of Women in Botswana*. Gaborone: 1998.

Government of the Republic of Mauritius. *National Gender Action Plan: Follow up from the Fourth World Conference on Women, Beijing 1995*. 2000.

Hope, Jenny. "Is New-Age Man Trying too Hard?" *The Star (South Africa)*. August 26, 2003: 9.

Ibraimo, Latifa. *Divulgação da Legislação Sobre Terras*. Maputo: Associação Mocambicana das Mulheres de Carreira Jurídica, 2002.

Instituto GEDLINE. *Gender and Health Equity Network*. Proc. of the 2nd International Coordination Meeting. April 6-8, 2003. Maputo: 2003.

Kanye, Ndulamo Anthony Morima. "Marital Rape: the Law Must be Tightened." *The Botswana Guardian*. August 29, 2003: 16.

Kethusegile, Bookie and Hugh McCullum, eds. *Gender Policies in Southern Africa and Beyond: A Selected Bibliography*. Harare: Cannon Press, 2000.

Kidd, Oratile, and Rosemary Mokgosi, eds. *Kogisano Women's Shelter Stakeholder Report/Outreach*. Gaborone: June 2003.

Kidd, Puseletso, et al. *Botswana Families & Women's Rights in a Changing Environment*. Gaborone: Women and Law in Southern Africa Research Trust, 1997.

Kidd, Puseletso Elizabeth, et al. *Chasing the Mirage: Women and the Administration of Justice*. Gaborone: Women and Law in Southern Africa Research Trust, 1999.

Lowe-Morna, Colleen, ed. *Sixteen Days of Peace 2002: a Case Study on Gender and Strategic Communications*. Johannesburg: Gender Links, 2003.

Lowe-Morna, Colleen, ed. *Whose News? Whose Views? Southern Africa: Gender in Media Handbook*. Johannesburg: Gender Links, 2001.

Made, Pat, Colleen Lowe Morna, and Alice Kwaramba, eds. *Gender and Media Baseline Study, Southern African Regional Overview*. Johannesburg: Media Institute of Southern Africa and Gender Links, 2003.

Makangara, Fenella, and Bertha Koda. *Beyond Inequalities: Women in Tanzania*. Southern Africa Research and Documentation Centre. Harare: Print Holdings, 1997.

Malepe, Lebogang, and Hélène Combrink. *Zikhethela Use the Law to End Domestic Violence*. Cape Town: Progress Press.

- Mannathoko, Changu, ed. *Gender Tales from Africa: Voices of Children and Women Against Discrimination*. Nairobi: UNICEF Eastern and Southern Africa Regional Office, 2001.
- McFadden, Patricia, ed. *SAFERE: Southern African Feminist Review (Gender, Politics and Democracy)*. Vol. 1 No. 2. Harare: Sapes Books, 1995.
- Meena, Ruth, and Keboitse Machangana. *Evaluation of the Engendering SADC Parliaments Project*. Gaborone: 2002.
- Mogapi, Spencer. "Alleged Rape by Husband: Women Angered by Withdrawal of Case." *The Botswana Gazette*. August 20, 2003: 4.
- Mojaki, Monnakgotla. "Florence Nightingale Medals Awarded." *The Mirror*. August 6-12, 2003: 14.
- Mokereitane, Ida, and Silibaziso Mtunzi. *Annual Report for LACC June 2002 - March 2003*. Gaborone: Emang Basadi.
- Motlatshiping, Motlalepula. "Mosadi Ascends the Throne." *Daily News*. September 1, 2003: 1-2.
- Mvududu, Sara, and Patricia McFadden. *Reconceptualizing the Family in a Changing Southern African Environment*. Harare: Women and Law in Southern Africa Research Trust, 2001.
- Ordem dos Advogados de Mocambique. *Estatuto da Ordem dos Advogados de Mocambique*. Maputo: 1995.
- Presidential Task Group for a Long Term Vision for Botswana. *Towards Prosperity for All*. Gaborone: 1997.
- Procek, Eva, study coordinator. *Report of a Study of Rape in Botswana*. Commissioned by the Botswana Police Service, Ministry of the State President. Francistown: 1999.
- Republic of Botswana. *Protection from Domestic Violence Act 1999*. Gaborone: 1999.
- Rights Writes. *Media Mobilise Against Gender Violence*. Johannesburg: Gender Links, July 2002.
- SADC Gender Unit and Southern African Research and Documentation Centre. *SADC Gender Monitor: Monitoring Implementation of the Beijing Commitments by SADC Member States*. Issue 1. Harare: Cannon Press, 1999.

SADC Parliamentary Forum. *SADC Parliamentary Forum: Norms and Standards for Elections in the SADC Region*. Windhoek: SADC Forum House, 2001.

SADC PF. *Engendering SADC Parliaments: Strategies for the SADC Parliamentary Forum in the New Millennium*. Johannesburg: DS Print Media, 2001.

Sapa. "Agency Probing Courts to get more Staff." *The Star (South Africa)*. August 28, 2003: 5.

South African Law Commission. *Report on Sexual Offences*. Pretoria: 2002.

South African Law Commission. *Twenty-Ninth Annual Report – 2001/2002*. Pretoria: 2002.

Southern African Development Community. *Gender and Development: A Declaration by Heads of State or Government of the Southern African Development Community*. Grand Baie: 1998.

Southern Africa Research and Documentation Center. "Gender Stories: March 1992 to December 1998". *Southern African News Features*. Harare, Zimbabwe: 1999.

Southern Africa Research and Education Trust. *Women and Law in Southern Africa Research and Education Trust at a Glance*. Maseru.

Tsimane, Edgar. "Mosadi Completes Historic Journey." *Mmegi Monitor*. September 1-7, 2003: 2.

United Nations Development Program (UNDP). *Mozambique - Gender, Women and Human Development: An Agenda for the Future (Mozambique National Human Development Report 2001)*. Maputo: 2002.

Waterhouse, Samantha, Heléne Combrinck, and Kathleen Dey. *A Guide to Pre-trial Consultation in Rape Cases*. Cape Town: Rape Crisis Cape Town and Community Law Centre, University of the Western Cape, 2002.

Wax, Emily. "Women Blame 'Cleansing' Custom for Spread of HIV." *The Star (South Africa)*. August 20, 2003: 4.

Willet, Shelagh. "Kagisano Society – Women's Shelter Project." *Southern Africa Quaker News*. Sept. & Dec. 2002: 52-55.

WLSA Mocambique, *Outras Vozes*. No. 3. Maputo: Maio 2003.

WLSA Mocambique. *Outras Vozes* No. 3, *Suplemento*. Maputo: Julho 2003.

Women and Law in Southern Africa (WLSA) and Southern African Research and Documentation Centre (SARDC), Women in Development Southern Africa Awareness. *Beyond Inequalities: Women in Lesotho*. Harare: Cannon Press, 1997.

Women and Law in Southern Africa (WLSA) and Southern African Research and Documentation Centre (SARDC), Women in Development Southern Africa Awareness. *Beyond Inequalities: Women in Zimbabwe*. Harare: Printopak, 1998.

Women and Law in Southern Africa Research and Educational Trust (WLSA). *Venia Magaya's Sacrifice: A Case of Custom Gone Awry*. Harare: Bardwell Printers, 2001.

Women and Law in Southern Africa Research Project. *Maintenance Laws and Practices in Botswana*. Gaborone: Women and Law in Southern Africa Research Project, 1992.

Women and Law in Southern Africa Research Trust. *No Safe Place: Incest and Defilement in Botswana*. Gaborone: Women and Law in Southern Africa Research Project, 2002.

Women's Affairs Department. *Botswana National Council on Women*. Gaborone: Secretariat Women's Affairs Department, 2001.

Women's Affairs Department, Botswana Ministry of Labour and Home Affairs. *National Gender Programme, Popular Version*. Gaborone: Government Printer, 1999.

Women's Affairs Department, Ministry of Labour and Home Affairs. *Report on the Study of the Socio-Economic Implications of Violence Against Women in Botswana*. Gaborone: Government of Botswana/United Nations Development Programme, 1999.

Women's Affairs Department, Government of Botswana. *Report on a Review of all Laws Affecting the Status of Women in Botswana*. Gaborone: Government Printer, 1998.

Women's Affairs Department, Government of Botswana. *Report on a Review of all Laws Affecting the Status of Women in Botswana, Executive Summary: Main Findings and Recommendations*. Gaborone: Government Printer, 1998.

Women's Affairs Division, Government of Botswana. *Policy on Women in Development*. Gaborone: Government Printer, 1995.

Women's NGO Coalition. *Ke Nako*. Vol. 20. Gaborone: April–June 2003.

Women's NGO Coalition. "Married Women Not Protected by Botswana Laws." *The Mirror*. August 6-12, 2003: 14.

Women's Shelter Project 2000. *Stories of Courage Told by Women*. Gaborone: Lightbooks, 2001.

Zakiya, Afia, and Wanjiku Muhato. *Gender Assessment: An Analysis with Lessons Learned and Recommendations for USAID/Zambia's 2004-2010 Country Strategic Plan*. Lusaka: 2003.

Zimbabwe Women's Resource Centre and Network. *The Report of the Post-Beijing Southern Africa Sub-Regional Workshop*. Harare: 1995.